

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

TREY GREENE, individually and on behalf  
of all others similarly situated,

Plaintiff

v.

ZAC PRINCE, FLORI MARQUEZ, TONY  
LAURA, JENNIFER HILL, and GEMINI  
TRADING, LLC,

Defendants.

Case No. 2:23-cv-01165

**DECLARATION OF JOSEPH J. DEPALMA IN SUPPORT OF MOTION OF ANTONIE  
ELAS FOR APPOINTMENT AS LEAD PLAINTIFF AND APPROVAL OF SELECTION  
OF LEAD COUNSEL**

I, Joseph J. DePalma, declare, under penalty of perjury:

1. I am a member of the law firm of Lite DePalma Greenberg & Afanador, LLC. I submit this Declaration in support of the motion of Antonie Elas for appointment as Lead Plaintiff and approval of selection of counsel.

2. Attached hereto as Exhibit A is a copy of a press release issued by Squitieri & Fearon LLP and Moore Kuehn PLLC, dated March 1, 2023, announcing the filing of a class action against above-referenced defendants and noticing that the filing date for appointment as Lead Plaintiff is May 1, 2023.

3. Attached hereto as Exhibit B is a copy of a press release issued by Lockridge Grindal Nauen P.L.L.P., dated March 1, 2023, announcing the filing of a class action against the above-referenced defendants Zac Prince and Flori Marquez, as well as other defendants, in the U.S. District Court for the District of Massachusetts and noticing that the filing date for appointment as Lead Plaintiff is May 1, 2023.

4. Attached hereto as Exhibit C is a copy of the previously-filed certification of Mr. Elas in the District of Massachusetts case.

5. Attached hereto as Exhibit D is a true and accurate copy of the firm resume of Lockridge Grindal Nauen P.L.L.P., proposed Lead Counsel.

6. Attached hereto as Exhibit E is a true and accurate copy of the firm resume of Gustafson Gluek PLLC, proposed Lead Counsel.

Dated: May 1, 2023

Respectfully submitted,

**LITE DEPALMA GREENBERG & AFANADOR, LLC**

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*Additional Counsel for Plaintiff*

# **EXHIBIT A**

# Squitieri & Fearon LLP and Moore Kuehn PLLC File Class Action Suit Against BlockFi, Inc. founder Zac Prince, et al.

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NEWS PROVIDED BY  
**Moore Kuehn, PLLC →**  
Mar 01, 2023, 01:40 ET

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NEW YORK, March 1, 2023 /PRNewswire/ -- Squitieri & Fearon LLP and Moore Kuehn PLLC today filed a class action to represent stockholders of BlockFi, Inc. ("BlockFi") who purchased their BlockFi unregistered BlockFi Interest Accounts ("BIAs") between March 4, 2019 and November 10, 2022 (the "Class Period").

This class action was filed in the District of New Jersey captioned *Trey Greene, Individually and on Behalf of All Others Similarly Situated v. Zac Prince, et al.*, Case No. 2:23-cv-01165 ("the *BlockFi* action").

The Private Securities Litigation Reform Act of 1995 permits any investor who purchased BIAs during the Class Period to seek lead plaintiff in the *BlockFi* class action lawsuit. A lead plaintiff is generally the movant with the greatest financial interest in the relief sought by the putative class who is also typical and adequate of the putative class. A lead plaintiff acts on behalf of all other class members in directing the *BlockFi* action.

The lead plaintiff can select their law firm to litigate the *BlockFi* action. An investor's ability to share in potential future recovery of the *BlockFi* action is independent upon serving as lead plaintiff. If you seek lead plaintiff in the *BlockFi* action, you must move the Court no later than 60 days from February 28, 2023. If you wish to discuss the *BlockFi* action or have questions

Case 2:23-cv-01165-KM-LDW Document 8-2 Filed 05/01/23 Page 7 of 104 PageID: 268  
concerning this notice, please contact plaintiff's counsel, Lee Squitieri of Squitieri & Fearon LLP at (212) 421-6492 or via e-mail at [lee@sfclasslaw.com](mailto:lee@sfclasslaw.com) or Fletcher Moore of Moore Kuehn PLLC at (212) 709-8245 or via e-mail at [fmoore@moorekuehn.com](mailto:fmoore@moorekuehn.com)

The *BlockFi* action charges BlockFi officers with violations of securities laws. The complaint alleges class members were sold unregistered securities by the crypto company BlockFi, Inc., a company controlled by Defendants Zac Prince, Flori Marquez, Tony Laura, and Jennifer Hill (collectively "BFI Defendants"). The unregistered securities sold by the BFI Defendants were marketed and sold via misrepresentations and material omissions over several years and through intermittent misrepresentations by Defendant Gemini Trading LLC.

Prince's and Marquez's misrepresentations about BlockFi started to unravel when, among other things, California's financial regulator revoked BlockFi's lending license for failure to comply with California loan underwriting standards concerning the creditworthiness of borrowers and their ability to repay loans. Thereafter, additional disclosures established the extent and materiality of Prince and Marquez' misrepresentations during the Class Period.

Squitieri & Fearon represents investors in securities litigation. Squitieri & Fearon attorneys are consistently recognized by courts, organizations and the media as leading lawyers in the industry. Please visit <http://www.sfclasslaw.com>.

Contact:

Squitieri & Fearon  
Lee Squitieri (212) 421-6492  
[lee@sfclasslaw.com](mailto:lee@sfclasslaw.com)

or

Moore Kuehn  
Fletcher Moore (212) 709-8245  
[fmoore@moorekuehn.com](mailto:fmoore@moorekuehn.com)





# **EXHIBIT B**



# Lockridge Grindal Nauen P.L.L.P Announces Filing of Class Action Lawsuit Against BlockFi Individual Defendants Relating to BlockFi Interest Accounts

March 01, 2023 19:30 ET | Source: [Lockridge Grindal Nauen P.L.L.P.](#)

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MINNEAPOLIS, March 01, 2023 (GLOBE NEWSWIRE) -- Lockridge Grindal Nauen P.L.L.P. filed a class action lawsuit against Zac Prince, Flori Marquez, Amit Cheela, David Olsson, and Samia Bayou, individuals who are or were officers and directors of BlockFi, Inc. and related BlockFi entities, in the United States District Court for the District of Massachusetts (Case No. 1:23-cv-10472), on behalf of all persons or entities in the United States who invested in BlockFi Interest Accounts (“BIA”). The class period for the federal securities claims is March 4, 2019 to, and including, November 28, 2022. BlockFi and their affiliates are presently subject to bankruptcy proceedings filed in November of 2022 and are not named as defendants in this action. The case has been assigned to Judge Indira Talwani and is pending in the John Joseph Moakley U.S. Courthouse for the District of Massachusetts located at 1 Courthouse Way, Suite 2300, Boston, Massachusetts 02210.

The Complaint alleges that BlockFi, its affiliates, and the BlockFi Individual Defendants made false and misleading statements to promote BIAs, including that BIAs were a secure method of collecting interest. In addition, the Complaint alleges that BlockFi and the BlockFi Individual Defendants omitted and concealed material information concerning the risks associated with BIAs. The Complaint further alleges BlockFi and the Individual Defendants engaged in the unlawful offer and sale of securities in violation of Sections 5, 11, 12(a)(2), and 15 of the Securities Act of 1933 by selling BIAs to investors. The lawsuit also alleges claims for violation of Section 10(b) and 20 of the Securities Exchange Act of 1934 and Massachusetts General Law Chapter 110A.

as lead plaintiff through counsel of their choice. You do not need to be a lead plaintiff to share in any recovery that may be obtained.

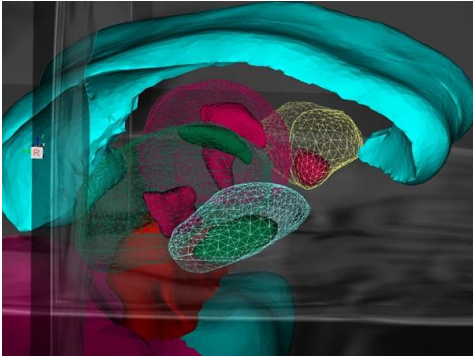
If you have any questions concerning this notice or your rights with respect to this matter, please contact:

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Tags

- CLASS ACTION LAWSUITS
- BlockFi
- BIA
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# **EXHIBIT C**

**CERTIFICATION PURSUANT TO FEDERAL SECURITIES LAWS**

I, Antonie Elas, declare as follows:

1. I have reviewed the Class Action Complaint and have authorized its filing.
2. I did not purchase the security that is the subject of the complaint (BlockFi BIA account) at the direction of plaintiff's counsel or to participate in any private action arising under the federal securities laws.
3. I am willing to serve as a representative party on behalf of a class, including providing testimony at deposition and trial, if necessary.
4. My purchase history is set forth in the chart attached hereto as Exhibit A.
5. I have not, within the three years preceding the date of this certification, sought to serve or served as a representative party on behalf of a class in an action involving alleged violations of the federal securities laws.
6. I will not accept any payment for serving as a representative party beyond my pro rata share of any recovery, except reasonable costs and expenses, such as travel expenses and lost wages directly related to the class representation, or any compensation as ordered or approved by the Court pursuant to law.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this day: February 17, 2023

Signature: \_\_\_\_\_



Name: Antonie Elas

## EXHIBIT A

<b>Cryptocurrency</b>	<b>Amount</b>	<b>Transaction Type</b>	<b>Confirmed At</b>
BUSD	268.1070542	Interest Payment	10/31/2022 23:59
USDC	268.5046636	Interest Payment	10/31/2022 23:59
GUSD	1302.804107	Interest Payment	10/31/2022 23:59
DAI	195.5362625	Interest Payment	10/31/2022 23:59
PAX	325.759837	Interest Payment	10/31/2022 23:59
USDC	258.6017091	Interest Payment	9/30/2022 23:59
PAX	313.7452047	Interest Payment	9/30/2022 23:59
BUSD	258.2187642	Interest Payment	9/30/2022 23:59
DAI	188.6196084	Interest Payment	9/30/2022 23:59
GUSD	1254.754253	Interest Payment	9/30/2022 23:59
PAX	322.6029765	Interest Payment	8/31/2022 23:59
DAI	194.2587794	Interest Payment	8/31/2022 23:59
GUSD	1290.178945	Interest Payment	8/31/2022 23:59
BUSD	265.508893	Interest Payment	8/31/2022 23:59
USDC	265.9026494	Interest Payment	8/31/2022 23:59
DAI	193.6127856	Interest Payment	7/31/2022 23:59
PAX	321.0104755	Interest Payment	7/31/2022 23:59
USDC	264.5900443	Interest Payment	7/31/2022 23:59
BUSD	264.1982316	Interest Payment	7/31/2022 23:59
GUSD	1283.81009	Interest Payment	7/31/2022 23:59
GUSD	1048.061007	Interest Payment	6/30/2022 23:59
PAX	271.3175589	Interest Payment	6/30/2022 23:59
BUSD	225.4839945	Interest Payment	6/30/2022 23:59
USDC	225.8000913	Interest Payment	6/30/2022 23:59
DAI	186.7641702	Interest Payment	6/30/2022 23:59
BUSD	232.0366514	Interest Payment	5/31/2022 23:59
GUSD	1078.518089	Interest Payment	5/31/2022 23:59
USDC	232.3619344	Interest Payment	5/31/2022 23:59
DAI	230.8331136	Interest Payment	5/31/2022 23:59
PAX	279.2021581	Interest Payment	5/31/2022 23:59
BUSD	248.1298509	Interest Payment	4/30/2022 23:59
DAI	246.74496	Interest Payment	4/30/2022 23:59
PAX	302.4024096	Interest Payment	4/30/2022 23:59
USDC	248.5041486	Interest Payment	4/30/2022 23:59
GUSD	1222.161865	Interest Payment	4/30/2022 23:59
DAI	286.7821882	Interest Payment	3/31/2022 23:59
PAX	353.2061406	Interest Payment	3/31/2022 23:59
USDC	288.8816781	Interest Payment	3/31/2022 23:59
GUSD	1450.885942	Interest Payment	3/31/2022 23:59
BUSD	288.4349756	Interest Payment	3/31/2022 23:59
PAX	348.4650963	Interest Payment	2/28/2022 23:59
GUSD	1436.342819	Interest Payment	2/28/2022 23:59
USDC	284.7150396	Interest Payment	2/28/2022 23:59
BUSD	284.272326	Interest Payment	2/28/2022 23:59
DAI	282.6342977	Interest Payment	2/28/2022 23:59
PAX	411.6445775	Interest Payment	1/31/2022 23:59



BUSD	338.8381267	Interest Payment	1/31/2022 23:59
DAI	336.9803004	Interest Payment	1/31/2022 23:59
USDC	339.3402454	Interest Payment	1/31/2022 23:59
GUSD	1193.674667	Interest Payment	1/31/2022 23:59
GUSD	12500	Ach Deposit	1/20/2022 0:23
GUSD	12500	Ach Deposit	1/20/2022 0:22
GUSD	12500	Ach Deposit	1/19/2022 1:31
GUSD	12500	Ach Deposit	1/19/2022 1:30
GUSD	12500	Ach Deposit	1/11/2022 19:08
GUSD	12500	Ach Deposit	1/11/2022 19:07
GUSD	12500	Ach Deposit	1/10/2022 18:30
GUSD	12500	Ach Deposit	1/10/2022 18:29
GUSD	12500	Ach Deposit	1/8/2022 7:28
GUSD	12500	Ach Deposit	1/8/2022 7:27
GUSD	12500	Ach Deposit	1/7/2022 9:36
GUSD	12500	Ach Deposit	1/7/2022 9:35
GUSD	12500	Ach Deposit	1/6/2022 6:43
GUSD	12500	Ach Deposit	1/6/2022 6:42
GUSD	12500	Ach Deposit	1/5/2022 1:19
GUSD	12500	Ach Deposit	1/5/2022 1:18
DAI	334.7849839	Interest Payment	12/31/2021 23:59
USDC	337.1295548	Interest Payment	12/31/2021 23:59
GUSD	334.7878251	Interest Payment	12/31/2021 23:59
PAX	408.9628478	Interest Payment	12/31/2021 23:59
BUSD	336.6307072	Interest Payment	12/31/2021 23:59
BUSD	323.7173859	Interest Payment	11/30/2021 23:59
PAX	393.2748297	Interest Payment	11/30/2021 23:59
GUSD	321.9451977	Interest Payment	11/30/2021 23:59
USDC	324.1970976	Interest Payment	11/30/2021 23:59
DAI	321.9424656	Interest Payment	11/30/2021 23:59
DAI	274.3732176	Interest Payment	10/31/2021 23:59
PAX	228.1155811	Interest Payment	10/31/2021 23:59
GUSD	273.970181	Interest Payment	10/31/2021 23:59
USDC	276.3288033	Interest Payment	10/31/2021 23:59
BUSD	275.8263571	Interest Payment	10/31/2021 23:59
GUSD	-5000	Trade	10/29/2021 18:03
BUSD	5000	Trade	10/29/2021 18:03
GUSD	-5000	Trade	10/29/2021 18:02
USDC	5000	Trade	10/29/2021 18:02
GUSD	-5000	Trade	10/29/2021 18:00
DAI	4935.338722	Trade	10/29/2021 18:00
GUSD	1000	Ach Deposit	10/29/2021 17:58
GUSD	19000	Ach Deposit	10/29/2021 17:57
GUSD	-25000	Trade	10/28/2021 20:55
PAX	25000	Trade	10/28/2021 20:55
GUSD	25000	Ach Deposit	10/28/2021 16:24
PAX	192.3113784	Interest Payment	9/30/2021 23:59

DAI	255.8732179	Interest Payment	9/30/2021 23:59
GUSD	255.5244244	Interest Payment	9/30/2021 23:59
BUSD	252.4154748	Interest Payment	9/30/2021 23:59
USDC	257.6273341	Interest Payment	9/30/2021 23:59
GUSD	-15000	Trade	9/1/2021 22:06
PAX	15000	Trade	9/1/2021 22:06
GUSD	5000	Ach Deposit	9/1/2021 22:04
GUSD	10000	Ach Deposit	9/1/2021 22:03
GUSD	-8000	Trade	9/1/2021 1:39
PAX	8000	Trade	9/1/2021 1:39
USDC	-8350	Trade	9/1/2021 1:39
PAX	8350	Trade	9/1/2021 1:39
USDC	-1300	Trade	9/1/2021 1:37
BUSD	1300	Trade	9/1/2021 1:37
GUSD	-2000	Trade	9/1/2021 1:35
BUSD	2000	Trade	9/1/2021 1:35
DAI	-404.8977345	Trade	9/1/2021 1:33
BUSD	400	Trade	9/1/2021 1:33
USDC	-547	Trade	9/1/2021 1:31
BUSD	547	Trade	9/1/2021 1:31
GUSD	-895	Trade	9/1/2021 1:30
BUSD	895	Trade	9/1/2021 1:30
DAI	-10123.45447	Trade	9/1/2021 1:26
BUSD	10000	Trade	9/1/2021 1:26
BUSD	139.1158902	Interest Payment	8/31/2021 23:59
USDC	309.5115944	Interest Payment	8/31/2021 23:59
GUSD	311.0010841	Interest Payment	8/31/2021 23:59
DAI	320.4950468	Interest Payment	8/31/2021 23:59
GUSD	248.82	Bonus Payment	8/13/2021 23:59
DAI	-25294.48712	Trade	8/3/2021 0:20
BUSD	25000	Trade	8/3/2021 0:20
USDC	238.4843834	Interest Payment	7/31/2021 23:59
GUSD	335.7786315	Interest Payment	7/31/2021 23:59
DAI	487.5964498	Interest Payment	7/31/2021 23:59
DAI	-50462.75507	Trade	7/7/2021 17:19
USDC	50000	Trade	7/7/2021 17:19
GUSD	-5000	Trade	7/4/2021 18:51
DAI	4946.96884	Trade	7/4/2021 18:51
GUSD	5000	Ach Deposit	7/4/2021 18:49
GUSD	-50000	Trade	7/2/2021 2:15
DAI	49472.40696	Trade	7/2/2021 2:15
GUSD	20000	Ach Deposit	7/2/2021 2:08
GUSD	-71880.39	Trade	7/2/2021 2:08
DAI	71122.20243	Trade	7/2/2021 2:08
GUSD	1022.937498	Interest Payment	6/30/2021 23:59
GUSD	619.8497549	Interest Payment	5/31/2021 23:59
GUSD	5000	Ach Deposit	5/29/2021 5:30

GUSD	5000 Ach Deposit	5/28/2021 4:25
GUSD	5000 Ach Deposit	5/27/2021 4:07
GUSD	5000 Ach Deposit	5/26/2021 4:29
GUSD	5000 Ach Deposit	5/25/2021 4:05
GUSD	5000 Ach Deposit	5/24/2021 6:58
GUSD	5000 Ach Deposit	5/23/2021 4:30
GUSD	5000 Ach Deposit	5/22/2021 6:15
GUSD	5000 Ach Deposit	5/21/2021 5:56
GUSD	5000 Ach Deposit	5/20/2021 18:32
GUSD	5000 Ach Deposit	5/19/2021 4:09
GUSD	-5000 Ach Return	5/18/2021 22:20
GUSD	5000 Ach Deposit	5/18/2021 15:36
GUSD	5000 Ach Deposit	5/18/2021 3:30
GUSD	5000 Ach Deposit	5/17/2021 2:47
GUSD	5000 Ach Deposit	5/15/2021 21:55
GUSD	5000 Ach Deposit	5/14/2021 14:12
GUSD	5000 Ach Deposit	5/13/2021 4:57
GUSD	5000 Ach Deposit	5/12/2021 4:12
GUSD	5000 Ach Deposit	5/11/2021 4:09
GUSD	5000 Ach Deposit	5/10/2021 3:22
GUSD	5000 Ach Deposit	5/9/2021 2:46
GUSD	237.4731507 Interest Payment	4/30/2021 23:59
GUSD	5000 Ach Deposit	4/14/2021 18:24
GUSD	5000 Ach Deposit	4/13/2021 18:07
GUSD	5000 Ach Deposit	4/12/2021 16:59
GUSD	5000 Ach Deposit	4/11/2021 16:15
GUSD	5000 Ach Deposit	4/10/2021 16:10
GUSD	5000 Ach Deposit	4/9/2021 16:04
GUSD	5000 Ach Deposit	4/8/2021 15:22
GUSD	5000 Ach Deposit	4/7/2021 15:09
GUSD	5000 Ach Deposit	4/6/2021 14:58
GUSD	-127 Ach Withdrawal	4/5/2021 7:01
GUSD	26.69684457 Interest Payment	3/31/2021 23:59
GUSD	5000 Ach Deposit	3/8/2021 23:18
GUSD	0.42945187 Interest Payment	2/28/2021 23:59
GUSD	100 Ach Deposit	2/9/2021 23:13

# **EXHIBIT D**

LOCKRIDGE  
GRINDAL  
NAUEN  
P.L.L.P.

Attorneys at Law



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**LOCKRIDGE GRINDAL NAUEN P.L.L.P.**

For more than 40 years, Lockridge Grindal Nauen P.L.L.P. has served clients throughout the Midwest and in Washington, D.C. Our attorneys and lobbyists have extensive experience in local, state, and federal government relations as well as antitrust, business, campaign finance, consumer, data breach, governmental, health care, employment, environmental, ERISA, intellectual property, real estate, securities, and tribal law and litigation.

Our firm represents clients of all shapes and sizes, taking the time to understand each client's goals and aspirations before tailoring our representation to meet their individual needs, whether they be in the courtroom, the halls of Congress, city hall, or in their state capitol.

Our clients include local and tribal governments, health care professionals and organizations, real estate developers, energy companies, telecommunications providers, casualty insurers, trade and industry associations, health and pension funds, unions, as well as issue-based coalitions.

Lockridge Grindal Nauen's attorneys and government relations professionals are assisted by an extensive support staff. The firm has offices in Minneapolis, Minnesota, Bismarck, North Dakota, and Washington, D.C.

## Cases

**The firm has served or serves as Lead or Co-Lead counsel in several prominent cases in Minnesota:**

- *In re Target Corporation Customer Data Security Breach Litigation*, No. 14-02522 (D. Minn.)
- *In re EpiPen ERISA Litigation*, No. 17-1884 (D. Minn.)
- *Judith Thorkelson, et al. v. Publishing House of the Evangelical Lutheran Church in America, et al.*, Court File 10-01712 (D. Minn.)
- *Peterson v. BASF Corp.*, Civil No. C2-97-295 (Norman County District Court, Minn.)
- *In Re Baycol Products Litig.*, MDL No. 1431 (D. Minn.)
- *In re Beef Purchasers Antitrust Litig. (aka Peterson v. JBS USA Food Co. Holdings et al.)* No. 19-cv-01129 (D. Minn.)
- *Benacquisto, et al. v. American Express Financial Corp. et al.*, Master File No. 00-1980 (D. Minn.), Civil Action No. 96-18477 (Henn. Cty. Dist. Ct.) (insurance class action)
- *In Re HardiePlank Fiber Cement Siding Litig.*, MDL No. 2359 (D. Minn.)
- *In Re Lutheran Brotherhood Variable Insurance Products Co. Sales Practices Litig.*, MDL No. 1309 (D. Minn.)
- *In Re Monosodium Glutamate Antitrust Litig.*, MDL No. 1328 (D. Minn.)
- *In re Netgain Technology, LLC Consumer Data Breach Litigation*, No. 21-cv-01210 (D. Minn.)
- *In Re Northstar Education Finance, Inc. Contract Litig.*, MDL 08-1990 (D. Minn.)
- *In Re Piper Funds, Inc. Institutional Government Income Portfolio Litig.*, Master File No. 3-94-587 (D. Minn.)
- *In re Pork Antitrust Litig.*, No. 18-cv-01776 (D. Minn.)

**In other District Courts, Lockridge Grindal Nauen served or serves as Lead or Co-Lead Counsel in the following cases, among others:**

- *In re Arby's Restaurant Group, Inc. Data Security Litigation*, No. 17-00514 (N.D. Ga.)
- *In re Broiler Chicken Antitrust Litig.*, No. 16-cv-08737 (N.D. Ill.)
- *In re: Capital One Consumer Data Security Breach Litigation*, No. 19-md-02915 (E.D. Va.)
- *In Re Catfish Antitrust Litig.*, MDL No. 928 (N.D. Miss.)
- *In Re CertainTeed Corp. Roofing Shingle Products Liability Litig.*, MDL 1817 (E.D. Pa.)
- *In re: Community Health Systems, Inc., Customer Security Data Breach Litig.*, No. 15-00222-KOB (N.D. Ala.)
- *D&M Farms et al. v. Birdsong Corp. et al.*, No. 19-cv-0463 (E.D. Va.)
- *In re: FedLoan Student Loan Servicing Litigation*, No. 18-02833 (E.D. Pa.)
- *In re Freight Forwarders Antitrust Litigation (Precision Associates, Inc. v. Panalpina World Transport (Holding) Ltd. et al.)* No. 08-cv-42 (E.D.N.Y.)
- *George Guenther, et al. v. Cooper Life Sciences, et al.* (Cooper Life Sciences Securities Litig.), No. C 89-1823 MHP (N.D. Cal.)
- *Greater Chautauqua Federal Credit Union, et al. v. Kmart Corp. et al.*, No. 15-02228 (N.D. Ill.)
- *Holmes v. Elephant Insurance Co. et al.*, No 22-cv-487 (E.D. Va.)
- *In Re IKO Roofing Shingle Products Liability Litig.*, MDL No. 2104 (C.D. Ill.)

- *In Re Kitec Plumbing Systems Products Liab. Litig. MDL No. 2098 (N.D. Tex.)*
- *Meyers v. The Guardian Life Insurance Company of America, Inc. Litig., Civil No. 2:97CV35-D-B (N.D. Miss.)*
- *Olean Wholesale Grocery Cooperative, et al. v Agri Stats, Inc. et al., No. 19-cv-08318 (N.D. Ill.)*
- *In Re Polypropylene Carpet Antitrust Litig., MDL No. 1075 (N.D. Ga.)*
- *In Re: Potash Antitrust Litigation (II), MDL No. 1996 (N.D. Ill.)*
- *In Re Residential Doors Antitrust Litig., MDL No. 1039 (E.D. Pa.)*
- *Gary G. Smith, et al. v. Little Caesar Enterprises, Inc., et al. (Little Caesar Franchise Litig.), Civil No. 93 CV 74041 DT (E.D. Mich.)*
- *In re Surescripts Antitrust Litig., No. 19-cv-06627 (N.D. Ill.)*
- *In re Turkey Antitrust Litig., No. 19-08318 (N.D. Ill.)*
- *In Re Unisys Savings Plan Litig., Master File No. 91-3067 (E.D. Pa.)*

LGN Partner Gregg Fishbein and Senior Counsel Stephen Teti will be the principal attorneys at LGN responsible for this case. LGN will staff the case with as many additional attorneys and staff members as needed, bringing in team members with expertise in legal briefing, e-discovery, and deposition-taking as the case develops. A brief summary of Mr. Fishbein's and Mr. Teti's credentials and experience are as follows. More information on LGN, its representative cases, and its team can be found at [www.locklaw.com](http://www.locklaw.com).

### **Gregg M. Fishbein**

Gregg M. Fishbein is a partner in LGN and specializes in class action and other complex commercial litigation. For over thirty years of practice, he has been continuously active in class and complex litigation, including representation of plaintiff classes. He was on the trial team in *Rainforest Café, Inc. v. State of Wisconsin Investment Board, et al.*, a shareholder rights action tried in the State Court of Minnesota on behalf of the State of Wisconsin Investment Board, Central Florida Investments, and 70 other former investors in the Rainforest Café. Mr. Fishbein was also part of the team that assisted plaintiffs' lead counsel in the *In re WorldCom Securities Litigation*, a case that settled for over \$6.1 billion. Mr. Fishbein is currently representing shareholders of Johnson Controls, Inc. who were required to pay significant capital gains taxes as a result of tax inversion with an Irish entity. He is also involved in a class action on behalf of victims of the TelexFree Ponzi scheme. He represents a number of institutional entities that are involved in proceedings under Minnesota's Trust Instruction Proceedings statute.

### **Representative Cases**

- *In re Regions Morgan Keegan Securities, Derivative and ERISA Litigation*,
- MDL No. 2009 (W.D. Tenn) – securities class action and derivative action resulting in recover of \$125 million for the class.
- *In re Target Corporate Customer Data Breach Security Litigation*, MDL No. 2522 (D. Minn.)
- *Turnridge et al v. TruGreen Limited Partnership*, No. 27-cv-14-14711 (Henn. Cty. Dist. Ct.)
- *In re American Express Financial Advisors Securities Litigation*, No. 04-cv1773 (S.D.N.Y.) – securities class action which resulted in recover of \$100 million for the class.
- *In re AOL Time Warner Securities Litigation*, MDL No. 1500 (S.D.N.Y.) – securities class action which resulted in recovery of \$2.65 billion for the class.
- *In re OM Group, Inc. Securities Litigation*, No. 02-2163 (N.D. Ohio) – securities class action which resulted in recover of \$92.4 million for the class.
- *Ohio Public Employees Retirement System, et al. v. Freddie Mac, et al.*, MDL No. 1584 (S.D.N.Y.) (Federal Home Loan Mortgage Corporation Securities Litigation) – securities class action which resulted in recovery of \$410 million for the class.
- *In re Countrywide Financial Corporation Securities Litigation*, No. 07-05295 (C.D. Cal.) – securities class action which resulted in recovery of \$624 million for the class.
- *In re Worldcom, Inc. Securities Litigation*, No. 02-3288 (S.D.N.Y.) – securities class action which resulted in recovery of \$6.13 billion of the class.



**Stephen J. Teti**

Stephen Teti serves as Senior Counsel at LGN, bringing over a decade of experience litigating complex, class cases in a variety of practice areas, including antitrust and securities. Mr. Teti is a *magna cum laude* graduate of the Quinnipiac University School of Law, where he served on the *Quinnipiac Law Review*, and a *cum laude* graduate of Fairfield University. Mr. Teti's antitrust matters include: *In re Broiler Chicken Antitrust Litig.*, No. 16-CV-8637 (N.D. Ill.); *Jien v. Perdue Farms, Inc., et al.*, No. 19-CV-2521 (D. Md.) (Poultry wage fixing case); *In re Local TV Advertising Antitrust Litig.*, No. 18-CV-6785 (N.D. Ill.); and *In re Thalomid & Revlimid Antitrust Litig.*, No. 14-CV-6997 (D.N.J.). Mr. Teti also has substantial securities class experience, including *City of Birmingham Ret. & Relief Sys. v. MetLife, Inc.*, No. 01-cv-2012-902101 (Ala. Cir. Ct.) (\$9.75 million settlement in Securities Act of 1933 action); *Niitsoo v. Alpha Natural Res., Inc.*, No. AD-303-2014 (Pa. Ct. Com. Pleas) (\$3.6 million settlement in Securities Act of 1933 action); *Rubenstein v. Oilsands Quest, Inc.*, No. 11-cv-288 (S.D.N.Y.) (\$10.235 million securities fraud settlement).

# **EXHIBIT E**



Firm Resume

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## Firm Overview

Gustafson Gluek PLLC is a 19-attorney law firm with a national practice specializing in complex litigation. The firm has offices in Minneapolis, Minnesota and San Diego, California. Gustafson Gluek attorneys seek to vindicate the rights of, and recover damages for, those harmed by unfair business practices, such as illegal price fixing, deceptive trade practices, and the distribution of unsafe medical devices, as well as enjoin companies from engaging in these types of practices in the future.

Founded in 2003, Gustafson Gluek's attorneys have consistently been recognized by their clients, peers, and courts across the country as leaders in their fields. They have been chosen to lead some of the largest and most complex multi-district litigations. Attorneys at Gustafson Gluek have received national and state-wide awards and honors and are routinely called upon by other leading firms to assist in taking on some of the largest companies and defense firms in the world. Gustafson Gluek was named number six in the Top 25 Lead Counsel in antitrust complaints filed from 2009 – 2021 in the 2021 Antitrust Annual Report produced by the University of San Francisco Law School and The Huntington National Bank. Gustafson Gluek was also listed as number seventeen in the list of firms with the highest number of antitrust settlements.

Gustafson Gluek strongly believes in giving back to the community and promoting diversity in the legal profession. Its attorneys have held leadership positions and actively participate in numerous national, state and affinity legal organizations, including the Federal Bar Association, Minnesota State Bar Association, the Infinity Project, Minnesota Women Lawyers, Minnesota Association of Black Lawyers, the Lavender Bar Association and American Antitrust Institute. Gustafson Gluek was instrumental in founding the *Pro Se* Project, a collaboration with the Minnesota District Court pairing indigent federal litigants with attorneys and Gustafson Gluek devotes hundreds of hours each year to pro bono service through the *Pro Se* Project and other organizations.

## Leadership Positions

Gustafson Gluek's attorneys are frequently recognized by their peers and the courts as experienced and capable leaders and, as such, have been appointed to lead numerous complex litigations including the following:

***Hogan v. Amazon, Inc. (N.D. Ill.)***

*Co-Lead Counsel*

***In re 3M Combat Arms Earplug Litig. (Minn.)***

*Co-Lead Counsel*

***In re Broiler Chicken Antitrust Litig. (N.D. Ill.)***

*Co-Lead Counsel for Commercial and Institutional Indirect Purchaser Plaintiffs*

***In re CenturyLink Residential Customer Billing Disputes Litig. (D. Minn.)***

*Executive Committee Chair*

***In re Crop Inputs Antitrust Litig. (E.D. Mo.)***

*Co-Lead Counsel*

***In re Dealer Management Systems Antitrust Litig. (N.D. Ill.)***

*Plaintiffs' Steering Committee*

***In Re: Deere & Company Repair Services Antitrust Litig. (N.D. Ill.)***

*Co-Lead Counsel*

***In re DPP Beef Litig. (D. Minn.)***

*Co-Lead Counsel*

***In re DRAM Antitrust Litig. (N.D. Cal. and multiple state court actions)***

*Co-Lead Counsel for Indirect Purchasers*

***In re Flash Memory Antitrust Litig. (N.D. Cal.)***

*Plaintiffs' Steering Committee*

***In re Google Digital Publisher Antitrust Litig. (N.D. Cal.)***

*Plaintiffs' Leadership Committee*

***In re Interior Molded Doors Indirect Purchaser Antitrust Litig. (E.D. Va.)***

*Co-Lead Counsel*

***In re Medtronic, Inc. Implantable Defibrillators Products Liability Litig. (D. Minn.)***

*Co-Lead Counsel*

***In re Medtronic, Inc. Sprint Fidelis Leads Products Liability Litig. (D. Minn.)***

*Lead Counsel*

***In re Net Gain Data Breach Litig. (D. Minn.)***

*Executive Committee*

***In re Pork Antitrust Litig. (D. Minn.)***

*Co-Lead Counsel for Consumer Indirect Purchaser Plaintiffs*

***In re Syngenta Litig. (Minn.)***

*Co-Lead Class Counsel*

***In re Vitamin C Antitrust Litig. (E.D.N.Y.)***

*Co-Lead Counsel for Indirect Purchasers*

***Precision Assocs., Inc. v. Panalpina World Transport (Holding) Ltd. (E.D.N.Y.)***

*Co-Lead Counsel*

***Powell Prescription Center v. Surescripts, LLC (N.D. Ill.)***

*Lead Counsel Committee*

***St. Barnabas Hospital, Inc. et al. v. Lundbeck, Inc. et al. (D. Minn.)***

*Interim Class Counsel*

***Vikram Bhatia, D.D.S., et al., v. 3M Company (D. Minn.)***

*Co-Lead Counsel*

## Case Outcomes

Gustafson Gluek has recovered billions of dollars on behalf of its clients since founding in 2003. Gustafson Gluek has helped vindicate the rights of, and recover damages for, those harmed by unfair business practices such as illegal price fixing, deceptive trade practices, and the distribution of unsafe or defective devices, as well as enjoin companies from engaging in these types of practices in the future. A list of representative cases the Firm previously litigated and the outcomes of those cases is set forth below.

### ANTITRUST

#### ***In re Automotive Parts Antitrust Litig. (E.D. Mich.)***

Gustafson Gluek was an integral part of the team representing a class of indirect purchases of various automotive components. Plaintiffs alleged that the defendants engaged in a sprawling price fixing conspiracy to artificially increase the price of several different automobile components. Gustafson Gluek helped recover over \$1.2 billion for the class.

#### ***In Re Blue Cross Blue Shield Antitrust Litig. (N.D. Ala.)***

Gustafson Gluek was appointed as members of the Damages and Litigation Committees representing a class of subscribers of Blue Cross Blue Shield Alabama. Plaintiffs alleged antitrust violations by the defendant. The parties reached a settlement that established a \$2.67 billion Settlement Fund. Settling Defendants also agreed to make changes in the way they do business that Plaintiffs believe will increase the opportunities for competition in the market for health insurance.

#### ***In re Capacitors Antitrust Litig. (N.D. Cal.)***

Gustafson Gluek represented a class of indirect purchasers of electrolytic or film capacitors. Plaintiffs alleged that at least fifteen multinational corporations conspired to fix the prices of capacitors that they manufactured and sold worldwide and into the United States. Gustafson Gluek attorneys worked closely



with Lead Counsel throughout the litigation, which eventually recovered \$84.49 million for the class.

***In re Containerboard Antitrust Litig. (N.D. Ill.)***

Gustafson Gluek represented a class of direct purchasers of containerboard products and was a defendant team leader. Plaintiffs alleged that defendant containerboard manufacturers conspired to fix the price of containerboard. As a team leader, Gustafson Gluek handled all aspects of discovery, including the depositions of several senior executives. Gustafson Gluek helped to secure over \$376 million for the class.

***In re Cathode Ray Tube (CRT) Antitrust Litig. (N.D. Cal.)***

Gustafson Gluek represented a class of direct purchasers of CRT screens used for computer monitors and televisions. Plaintiffs alleged that defendants conspired to fix the price of these products in violation of the antitrust laws. Gustafson Gluek had a significant discovery role in the prosecution of this antitrust class action, which resulted in settlements totaling \$225 million for the class.

***In re DRAM Antitrust Litig. (N.D. Cal. and multiple state court actions)***

Gustafson Gluek was appointed Co-Lead Counsel for the indirect purchasers in this nationwide class action against both national and international memory-chip manufacturers. This case dealt with the conspiracy surrounding the pricing of the memory chips commonly known as Dynamic Random Access Memory (or DRAM). DRAM is used in thousands of devices on a daily basis, and Gustafson Gluek was integral in achieving a settlement of \$310 million for the class.

***In re Domestic Drywall Antitrust Litig. (E.D. Pa.)***

Gustafson Gluek represented a class of direct purchasers of drywall in this antitrust case. Plaintiffs alleged that the defendant manufacturers conspired to artificially increase the price of drywall. Gustafson Gluek played an active role in the litigation. A class was certified, and Gustafson Gluek helped recover over \$190 million for the class.

***In re Lithium Ion Batteries Antitrust Litig. (N.D. Cal.)***

Gustafson Gluek represented a class of direct purchasers of lithium ion batteries in a multidistrict class action. Plaintiffs alleged collusive activity by the world's largest manufacturers of lithium ion batteries, which are used in everything from cellular phones to cameras, laptops and tablet computers. Gustafson Gluek had a significant discovery role in the prosecution of this antitrust class and helped recover over \$139 million for the class.

***In re Interior Molded Doors Indirect Purchaser Antitrust Litig. (E.D. Va.)***

Gustafson Gluek served as Co-Lead Counsel with two other firms representing a class of indirect purchasers of interior molded doors. Plaintiffs alleged that two of the country's largest interior molded door manufacturers conspired to inflate prices in the market. Defendants settled with the class for \$19.5 million.

***Precision Associates, Inc., et al. v. Panalpina World Transport (Holding) Ltd., et al. (E.D.N.Y.)***

Gustafson Gluek was Co-Lead Counsel representing a class of direct purchasers of freight forwarding services in this international case against 68 defendants. Plaintiffs alleged that defendants engaged in an international conspiracy to fix, inflate, and maintain various charges and surcharges for freight forwarding services in violation of U.S. antitrust laws. Gustafson Gluek worked to secure over \$450 million for the class.

***In re Resistors Antitrust Litig. (N.D. Cal.)***

Gustafson Gluek worked closely with Lead Counsel representing indirect purchasers of linear resistors. Plaintiffs alleged that the defendant manufacturers conspired to increase the price of linear resistors, thereby causing indirect purchasers to pay more. After engaging in extensive discovery, Plaintiffs recovered a total of \$33.4 million in settlements for the indirect purchaser class.

***In re TFT-LCD (Flat Panel) Antitrust Litig. (N.D. Cal.)***

Gustafson Gluek served an integral role handling complex discovery issues in this antitrust action representing individuals and entities that purchased LCD panels at supracompetitive prices. Gustafson Gluek attorneys worked on a range of domestic and foreign discovery matters in prosecuting this case. The total settlement amount with all of the defendants was over \$1.1 billion.

***The Shane Group, Inc., et al. v. Blue Cross Blue Shield of Michigan (E.D. Mich.)***

Gustafson Gluek was appointed interim Co-Lead Counsel representing a class of purchasers of hospital healthcare services. Plaintiffs alleged that defendant Blue Cross Blue Shield of Michigan used its market position to negotiate contracts with hospitals that impeded competition and increased prices for patients. Gustafson Gluek worked to secure \$30 million on behalf of the class.

## **CONSUMER PROTECTION**

***Baldwin et al. v. Miracle Ear et al. (D. Minn.)***

Gustafson Gluek represented consumers who received unwanted telemarketing calls from HearingPro for sale of Miracle Ear brand hearing aid products in violation of the Telephone Consumer Protection Act. Gustafson Gluek played an important role in recovering an \$8 million settlement for the class.

***Syngenta Corn Seed Litig. (Minn. & D. Kan.)***

Gustafson Gluek was appointed Co-Lead Counsel for the class of Minnesota corn farmers suing Syngenta for negligently marketing its Agrisure/Viptera corn seed before it had been approved in all of the major corn markets. Gustafson Gluek was an integral part of the litigation team in Minnesota, participating in all facets of discovery, motion practice and expert work. Dan Gustafson was one of the lead trial counsel and was also appointed as part of the settlement team. Ultimately, these cases settled for \$1.51 billion on behalf of all corn farmers in America.

***In re Centurylink Sales Practices and Securities Litig. (D. Minn.)***

Gustafson Gluek was Chair of the Executive Committee and represented a class of current and former CenturyLink customers who paid too much for their phone, internet or television services due to CenturyLink's unlawful conduct. Plaintiffs alleged that CenturyLink engaged in deceptive marketing, sales, and billing practices across the dozens of states. Ultimately, Plaintiffs recovered \$18.5 million in settlements for the class.

***Yarrington, et al. v. Solvay Pharmaceuticals, Inc. (D. Minn.)***

Gustafson Gluek represented a class of individuals alleging unfair competition and false and deceptive advertising claims against Solvay Pharmaceuticals in the marketing of Estratest and Estratest HS, prescription hormone therapy drugs. Gustafson Gluek helped recover \$16.5 million for the class.

## **DATA BREACH**

***In re Equifax Inc. Customer Data Security Breach Litig. (N.D. Ga.)***

Gustafson Gluek represented a class of individuals whose personal information was impacted as the result of the Equifax's deficient data security practices. Plaintiffs reached a settlement where Equifax agreed to pay \$380 million towards the fund for class benefits and an additional \$125 million for out-of-pocket losses in addition to credit monitoring and identity restoration services.

***Landwehr v. AOL Inc. (E.D. Va.)***

Gustafson Gluek served as class counsel in this lawsuit, alleging that AOL made available for download its members' search history data, which violated these AOL members' right to privacy under the Federal Electronic Communications Privacy Act. Plaintiffs reached a settlement with AOL that made \$5 million available to pay the claims of class members whose search data was made available for download by AOL.

***The Home Depot, Inc., Customer Data Security Breach Litig. (N.D. Ga.)***

Gustafson Gluek represented credit unions and a class of financial institutions whose card members' payment data was compromised as the result of Home Depot's deficient data security practices. These financial institutions lost time and money responding to the data breach. Plaintiffs reached a settlement agreement with Home Depot for \$27.25 million for the class members.

***Greater Chautauqua Federal Credit Union v. Kmart Corporation (N.D. Ill.)***

Gustafson Gluek served on the court-appointed Plaintiffs' Steering Committee representing a class of financial institutions whose card members' payment data was compromised as a result of Kmart's deficient data security practices. These financial institutions lost time and money responding to the data breach. Plaintiffs reached a \$5.2 million settlement with K-Mart for the class.

***Experian Data Breach Litig. (C.D. Cal.)***

Gustafson Gluek represented a class of consumers whose personally identifiable information, including Social Security numbers and other highly-sensitive personal data, was compromised as the result of Experian's deficient data security practices. Many of these consumers lost time and money responding to the data breach, and they face an ongoing risk of identity theft, identity fraud, or other harm. Plaintiffs reached a \$22 million settlement and as a part of the settlement, defendants also agreed and have begun undertaking certain remedial measures and enhanced security measures, which they will continue to implement, valued at over \$11.7 million.

## SECURITIES

### ***St. Paul Travelers Securities Litig. I and II (D. Minn.)***

Gustafson Gluek served as liaison counsel in both of the St. Paul Travelers Securities Litigations. At issue in the cases were public statements as well as material omissions St. Paul Travelers made that negatively impacted the stock prices of the Company. On behalf of New Mexico State Funds, Gustafson Gluek worked to litigate the two separate class actions against St. Paul Travelers, resulting in multi-million-dollar settlements.

### ***Smith v. Questar Capital Corp., et al. (D. Minn.)***

Gustafson Gluek represented a class of investors who were defrauded in a Ponzi scheme by a brokerage firm that sold bonds to sustain an entity that had collapsed into bankruptcy. Gustafson Gluek helped recover \$3 million for the class of 125 investors.

## PRODUCT LIABILITY

### ***Bhatia v. 3M Co. (D. Minn.)***

Gustafson Gluek represented a class of dentists who bought 3M Lava Ultimate Restorative material for use in dental crowns. Gustafson Gluek was appointed as Co-Lead Counsel for Plaintiffs, who alleged that the 3M Lava material failed at an unprecedented rate, leading to substantial loss of time and money for the dentists and injury to the patients. Gustafson Gluek helped secure a settlement of approximately \$32.5 million for all of the dentists who had suffered damages from the failure of this product.

### ***Medtronic, Inc., Sprint Fidelis Leads Products Liability Litig. (D. Minn.)***

Gustafson Gluek was Lead Counsel representing Plaintiffs, who had Medtronic's Sprint Fidelis Leads implanted in them. Plaintiffs alleged that Medtronic's Sprint Fidelis Leads contained serious defects that cause the leads to fracture, resulting in unnecessary shocks. Ultimately, these cases settled for over \$200 million on

behalf of thousands of injured claimants who participated in the settlement. The settlement included a seven-year claim period in which individuals who were registered to participate in the settlement could make a claim if their device failed or was removed within that time period for reasons related to the alleged defect.

***Medtronic, Inc. Implantable Defibrillators Products Liability Litig. (D. Minn.)***

Gustafson Gluek was appointed Co-Lead Counsel in this MDL representing individuals, who were implanted with certain implantable defibrillators manufactured by Medtronic, Inc. Plaintiffs alleged that these certain Medtronic's implantable cardioverter defibrillators (ICDs), and cardiac resynchronization therapy defibrillators (CRT-Ds) contained serious battery defects, which resulted in a recall of the products at issue. Plaintiffs alleged that Medtronic, Inc. knew about this defect, intentionally withheld important information from the FDA and the public and continued to sell the devices for implantation into patients facing life-threatening heart conditions. Gustafson Gluek, in its role as Co-Lead Counsel, helped secure a settlement of approximately \$100 million dollars for claimants who participated in the settlement.

## **INTELLECTUAL PROPERTY & PATENT MISUSE**

***Augmentin Litig. (E.D. Va.)***

Gustafson Gluek represented a class of direct purchasers of the pharmaceutical drug, Augmentin. Plaintiffs alleged that defendant GlaxoSmithKline violated the antitrust laws by unlawfully maintaining its monopoly over Augmentin and preventing the entry of generic equivalents. Gustafson Gluek helped recover \$62.5 million for the class.

***Dryer, et al., v. National Football League (D. Minn.)***

The U.S. District Court for the District of Minnesota appointed Gustafson Gluek Lead Settlement Counsel in *Dryer v. NFL*. In that capacity, Gustafson Gluek

represented a class of retired NFL players in protecting their rights to the use of their likenesses in marketing and advertising. Gustafson Gluek helped secure a settlement with the NFL that created unprecedented avenues of revenue generation for the class.

***In re Restasis (Cyclosporine Ophthalmic Emulsion) Antitrust Litig. (E.D.N.Y.)***

Gustafson Gluek represented a proposed class of End-Payor Plaintiffs in this antitrust class action. Plaintiffs alleged that defendant Allergan engaged in a multifaceted conspiracy to delay generic competition for its brand-name drug Restasis. Gustafson Gluek helped recover \$30 million for the class.

***Spine Solutions, Inc., et al. v. Medtronic Sofamore Danek, Inc., et al. (W.D. Tenn.)***

Gustafson Gluek was one of the counsel representing the plaintiff, Spine Solutions, Inc. and Synthes Spine So., L.P.P., in a patent litigation against Medtronic Sofamor Danek, Inc. and Medtronic Sofamor Donek, USA. The patent at issue in that case involved technology relating to spinal disc implants. This case went to trial in November 2008 and a jury verdict was returned in favor of our clients. The jury found willful infringements and awarded both lost profits and reasonable royalty damages to our clients.

***In re Wellbutrin SR Antitrust Litigation (E.D. Pa.)***

Gustafson Gluek played an integral role in this pharmaceutical class action. The firm represented direct purchasers of Wellbutrin SR, who alleged that defendant GlaxoSmithKline defrauded the U.S. Patent and Trademark Office and filed sham lawsuits against its competitors, which delayed the availability of the generic version of Wellbutrin SR to consumers. As a result of this delay, Plaintiffs alleged that they paid more for Wellbutrin SR than they would have if the generic version had been available to them. Gustafson Gluek was actively involved in the investigation, discovery, motion practice, and trial preparation for this case and served an essential role in the mediation that resulted in a \$49 million settlement to the direct purchasers.



## **APPELLATE ADVOCACY**

Gustafson Gluek has experienced, seasoned appellate advocates who can assist in getting the right result. Because Gustafson Gluek attorneys have tried complex cases to jury and bench verdicts, they understand how important the trial court is to a successful appeal.

Gustafson Gluek's appellate attorneys draw from many years of experience practicing before courts at every level of the state and federal system. They have successfully briefed and argued a variety of complex class and non-class cases and been called upon by peers to assist in the appellate process for their clients as well. In addition, they have frequently written briefs and appeared as *amicus curiae* (friend of the court) on behalf of several professional organizations.

Gustafson Gluek appellate attorneys are admitted to practice in the following appellate courts:

- First Circuit Court of Appeals
- Third Circuit Court of Appeals
- Fifth Circuit Court of Appeals
- Eighth Circuit Court of Appeals
- Ninth Circuit Court of Appeals
- Eleventh Circuit Court of Appeals
- Minnesota State Court of Appeals
- Minnesota Supreme Court
- United States Supreme Court

The following is a representative list of cases in which Gustafson Gluek attorneys argued before the Eighth Circuit include:

- *Bryant, et al. v. Medtronic, Inc., et al.*
- *Dryer, et al. v. National Football League*
- *Graves v. 3M Company*
- *Haddock v. LG Electronics USA, Inc.*
- *Rick, et al. v. Wyeth, Inc., et al.*
- *Karsjens, et al. v. Piper, et al.*
- *LaBrier v. State Farm Fire and Casualty Co.*
- *MN Senior Foundation, et al. v. United States, et al.*
- *Larson v. Ferrellgas Partners*
- *Smith v. Fairview Ridges Hospital*
- *Song v. Champion Pet Foods USA, Inc.*
- *Beaulieu v. State of Minnesota*

## Practice Areas and Current Cases

### ANTITRUST

Gustafson Gluek PLLC is devoted to the prosecution of antitrust violations. Gustafson Gluek attorneys have litigated antitrust cases in federal and state courts across the United States.

Federal and state antitrust laws are designed to protect and promote competition among businesses by prohibiting price fixing and other forms of anticompetitive conduct. Violations can range from straight forward agreements among competitors to raise prices above competitive prices to complicated schemes that affect relationships between different levels of a market.

Ongoing prosecution of these illegal schemes helps protect the average consumer from being forced to pay more than they should for everyday goods. Below are some representative antitrust cases that Gustafson Gluek is currently involved in:

#### ***In re Broiler Chicken Antitrust Litigation (N.D. Ill.)***

Gustafson Gluek is part of the Co-Lead counsel team for class of commercial indirect purchasers such as restaurants. The case alleges chicken suppliers colluded to artificially restrict the supply and raise the price of chicken in the United States. As part of the Co-Lead counsel team, Gustafson Gluek helped defeat defendants' motion to dismiss and recently succeeded in getting the class certified. To date we have helped recover over \$100 million in settlements from seven defendants. This case is on-going.

#### ***In re Crop Inputs Antitrust Litig. (E.D. Mo.)***

Gustafson Gluek is Co-Lead counsel representing a class of farmers alleging that manufacturers, wholesalers and retailers conspired to artificially increase and fix the price of crop inputs (e.g., seeds, fertilizers, pesticides) used by farmers.

***In re Deere & Company Repair Services Antitrust Litig. (N.D. Ill.)***

Gustafson Gluek has been appointed as Co-Lead counsel on behalf of a proposed class of farmers who purchased repair services from John Deere. Plaintiff alleges Deere monopolized the market for repair and diagnostic services for its agricultural equipment in order to inflate the price of these services.

***In re Dealer Management Systems Antitrust Litig. (N.D. Ill.)***

Gustafson Gluek has been appointed as a member of the Steering Committee representing a class of car dealerships. Plaintiffs allege that defendants unlawfully entered into an agreement that reduced competition and increased prices in the market for Dealer Management Systems ("DMS") and data integration services related to DMS. Plaintiffs have reached a settlement with one defendant but continue to litigate against the remaining defendants.

***In re Disposable Contact Lens Antitrust Litig. (M.D. Fla.)***

Gustafson Gluek represents a class of individuals who purchased contact lenses made by Alcon, CooperVision, Bausch + Lomb, and Johnson & Johnson. Plaintiffs allege that these manufacturers unlawfully conspired to impose minimum resale price agreements on retailers, which restricts retailers' ability to lower prices to consumers. The class was certified, and Gustafson Gluek attorneys were members of the trial team. Ultimately the case settled with all the defendants and that settlement received final approval from the Court.

***In re Domestic Airline Travel Antitrust Litig. (D.D.C.)***

Gustafson Gluek is part of a team representing passengers of the airlines alleging antitrust violation against various airlines. The court denied defendants' motion to dismiss. Discovery has concluded and summary judgement motions have been submitted. There have been settlements with two of the defendants in this litigation to date.

***In re DPP Beef Litig. (D. Minn.)***

Gustafson Gluek has been appointed Co-Lead Counsel for a proposed class of direct purchasers of beef. Plaintiffs allege that Cargill JBS, Tyson and National Beef Packing Company conspired to fix and maintain the price of beef in violation of the federal antitrust laws resulting in supracompetitive prices for beef. This litigation is ongoing, but plaintiffs have reached a \$52.5 million settlement with one defendant.

***In re Generic Pharmaceuticals Pricing Antitrust Litig. (E.D. Pa.)***

Gustafson Gluek represents a class of Direct Purchaser Plaintiffs and is part of a team of law firms alleging anti-competitive conduct by more than twenty generic drug manufacturers with respect to more than 100 generic drugs, including drugs used to treat common and serious health conditions such as diabetes and high blood pressure. Cases have been brought on behalf of several distinct groups of plaintiffs, including Direct Purchaser Plaintiffs, Indirect Purchaser Plaintiffs, multiple individual plaintiffs, and the State AGs. There are currently more than a dozen separate cases related to various drugs, which have been organized into three groups for the purposes of case management. The court has denied the motion to dismiss, and discovery is ongoing.

***In re Google Digital Publisher Antitrust Litig. (N.D. Cal.)***

Gustafson Gluek has been appointed to the Leadership Committee representing a class of publishers who sold digital advertising space via Google. Plaintiffs allege that Google's anticompetitive monopolistic practices led to digital publishers being paid less for their advertising space than they otherwise would have been paid in a competitive market.

## CONSUMER PROTECTION

Gustafson Gluek PLLC has led class action lawsuits on behalf of consumers alleging consumer protection violations or deceptive trade practices. These cases involve claims related to the false marketing of life insurance, defective hardware in consumer computers, misleading air compressor labeling, and rental car overcharges. Below are some representative cases involving consumer protection claims that Gustafson Gluek is currently litigating:

### ***Champion PetFoods Litig. (multi-state actions)***

Gustafson Gluek represents consumers who purchased Orijen and/or Acana labels of Champion PetFoods' dog food. Plaintiffs have brought cases in several states, including Illinois, Washington, and Iowa alleging that Champion PetFoods makes misrepresentations and omissions on their packaging of these dog foods.

### ***In re Plum Baby Food Litig. (N.D. Cal.)***

Gustafson Gluek represents proposed nationwide classes of consumers that purchased Plum Organics baby food products. Plaintiffs allege that these baby foods were deceptively labeled, marketed, and sold because they contain undisclosed level of heavy metals and contaminants including lead, cadmium, mercury, arsenic, and perchlorate.

### ***In re: Nurture Baby Food Litig. (S.D.N.Y.)***

Gustafson Gluek represents proposed nationwide classes of consumers that purchased HappyBaby or HappyTots baby food products. Plaintiffs allege that these baby foods were deceptively labeled, marketed, and sold because they contain undisclosed level of heavy metals and contaminants including lead, cadmium, mercury, arsenic, and perchlorate.

***Broadway v. Kia America, Inc. (D. Minn.)***

Gustafson Gluek represents proposed nationwide classes of people who purchased certain models of Kia and Hyundai automobiles that lack an engine immobilizer which makes those vehicles unsafe and prone to theft.

***Salter, et al. v. PHH Mortgage Corp. (S.D. Fl.)***

Gustafson Gluek represents a proposed nationwide class of homeowners who were charged impermissible and improperly documented mortgage payoff fees.

***Gisairo, et al. v. Lenovo (United States) Inc. (D. Minn.)***

Gustafson Gluek represents proposed classes of consumers who purchased various Lenovo laptop computers. These computers suffer from a common hinge failure that renders the products partially or completely useless.

***Thelen, et al, v HP Inc. (D. Del.)***

Gustafson Gluek represents proposed classes of consumer who purchased various HP laptop computers. These computers suffer from a common hinge defect that renders the products partially or completely useless.

***Kevin Brnich Electric LLC, et al. v. Siemens Industry, Inc. (N.D. Ga.)***

Gustafson Gluek represents a proposed classes of electricians and consumers who purchased Siemens Ground Fault Circuit Interrupter products. These products are prone to premature nuisance faulting.

## CONSTITUTIONAL LITIGATION

Gustafson Gluek is devoted to the protection of the constitutional liberties of all individuals. The Firm has litigated several cases at the federal court level on matters involving civil commitment, police brutality, prisoner mistreatment and government misuse of private property. Below are some representative cases involving constitutional claims that Gustafson Gluek is currently litigating or has recently litigated:

### ***Doe v. Hanson et al. (Minn.)***

Gustafson Gluek represents a former juvenile resident of Minnesota Correctional Facility – Red Wing who alleges he was sexually assaulted by a staff member over the course of several years. Despite alleged knowledge of the risk of the abuse to the juvenile, the Correctional Facility did nothing to protect the juvenile. A settlement was reached in 2021, which included significant financial compensation for the victim, required additional training for the MCF-Red Wing staff, and 3 policy changes at MCF-Red Wing.

### ***Carr v. City of Robbinsdale (Minn.)***

Gustafson Gluek represented an individual whose car was seized by the Robbinsdale police. The client was a passenger in her car, when the driver was pulled over and arrested for driving under the influence. The officer seized the car pursuant to Minnesota's civil forfeiture statute. Gustafson Gluek filed a complaint challenging the constitutionality of the Minnesota civil forfeiture laws. However, prior to any meaningful litigation, the parties were able to settle the case.

### ***Khottavongsa v. City of Brooklyn Center (D. Minn.)***

Gustafson Gluek represented the family of a man killed by Brooklyn Center police in 2015. Gustafson Gluek brought section 1983 claims, alleging the officers used excessive force and ignored his medical needs, and that the City of



Brooklyn Center failed to train and supervise the officers. Defendant's motion for summary judgment was largely defeated. The case settled prior to trial.

***Hall v. State of Minnesota (Minn.)***

Gustafson Gluek successfully litigated a case against the State of Minnesota regarding the State's Unclaimed Property Act. On behalf of plaintiffs, the Firm achieved a ruling that a portion of the State's Unclaimed Property Act was unconstitutional and, as a result, the statute was changed, and property returned to individuals.

***Karsjens, et al. v. Jesson, et al. (D. Minn.)***

Gustafson Gluek represents a class of Minnesota's civilly committed sex offenders on a pro bono basis through the Federal Bar Association's Pro Se Project. Gustafson Gluek has been litigating this case since 2012, alleging that Minnesota's civil commitment of sex offenders is unconstitutional and denies the due process rights of the class. After a six-week trial in February and March of 2015, Minnesota District Court Judge Donovan Frank found in favor of the class, ruling that the Minnesota Sex Offender Program (MSOP) is unconstitutional, and ordering that extensive changes be made to the program. That order was reversed on appeal. Gustafson Gluek continues to vigorously advocate for the class on the remaining claims and pursue a resolution that will provide constitutional protections to those civilly committed to the MSOP.

***Jihad v. Fabian (D. Minn.)***

Gustafson Gluek represented an individual bringing suit against the State of Minnesota, the Department of Corrections and others alleging violations of his religious rights relating to his incarcerations in the Minnesota Corrections Facility in Stillwater. Gustafson Gluek was able to secure a settlement for the plaintiff which involved a change in the Department of Corrections policy to provide plaintiff with halal-certified meals at the correction facilities.

***Samaha, et al. v. City of Minneapolis, et al. (D. Minn.)***

Gustafson Gluek is representing several peaceful protestors who were subject to excessive force at the George Floyd protests in May 2020. While peacefully protesting, the plaintiffs were subjected to tear gas, pepper spray and other violence. The case is a class action seeking declaratory and injunctive relief, including a judgment that the City of Minneapolis has a custom, policy and practice of encouraging and allowing excessive force. The case is on-going.

***Wolk v. City of Brooklyn Center, et al. (D. Minn.)***

Gustafson Gluek is representing a peaceful protestor who was subject to excessive force at the Daunte Wright protests in April 2021. While peacefully protesting, the plaintiff was subjected to tear gas, pepper spray, and was shot by a rubber bullet. The case is on-going and seeks both damages and injunctive relief to change the policies of the law enforcement agencies that were involved.

## **DATA BREACH**

***In re Equifax Inc. Customer Data Security Breach Litig. (N.D. Ga.)***

Gustafson Gluek represented a class of individuals whose personal information was impacted as the result of the Equifax's deficient data security practices. Plaintiffs reached a settlement where Equifax agreed to pay \$380 million towards the fund for class benefits and an additional \$125 million for out-of-pocket losses in addition to credit monitoring and identity restoration services.

***Landwehr v. AOL Inc. (E.D. Va.)***

Gustafson Gluek served as class counsel in this lawsuit, alleging that AOL made available for download its members' search history data, which violated these AOL members' right to privacy under the Federal Electronic Communications Privacy Act. Plaintiffs reached a settlement with AOL that made \$5 million

available to pay the claims of class members whose search data was made available for download by AOL.

***The Home Depot, Inc., Customer Data Security Breach Litig. (N.D. Ga.)***

Gustafson Gluek represented credit unions and a class of financial institutions whose card members' payment data was compromised as the result of Home Depot's deficient data security practices. These financial institutions lost time and money responding to the data breach. Plaintiffs reached a settlement agreement with Home Depot for \$27.25 million for the class members.

***Greater Chautauqua Federal Credit Union v. Kmart Corporation (N.D. Ill.)***

Gustafson Gluek served on the court-appointed Plaintiffs' Steering Committee representing a class of financial institutions whose card members' payment data was compromised as a result of Kmart's deficient data security practices. These financial institutions lost time and money responding to the data breach. Plaintiffs reached a \$5.2 million settlement with K-Mart for the class.

***Experian Data Breach Litig. (C.D. Cal.)***

Gustafson Gluek represented a class of consumers whose personally identifiable information, including Social Security numbers and other highly-sensitive personal data, was compromised as the result of Experian's deficient data security practices. Many of these consumers lost time and money responding to the data breach, and they face an ongoing risk of identity theft, identity fraud, or other harm. Plaintiffs reached a \$22 million settlement and as a part of the settlement, defendants also agreed and have begun undertaking certain remedial measures and enhanced security measures, which they will continue to implement, valued at over \$11.7 million.

## SECURITIES

### ***St. Paul Travelers Securities Litig. I and II (D. Minn.)***

Gustafson Gluek served as liaison counsel in both of the St. Paul Travelers Securities Litigations. At issue in the cases were public statements as well as material omissions St. Paul Travelers made that negatively impacted the stock prices of the Company. On behalf of New Mexico State Funds, Gustafson Gluek worked to litigate the two separate class actions against St. Paul Travelers, resulting in multi-million-dollar settlements.

### ***Smith v. Questar Capital Corp., et al. (D. Minn.)***

Gustafson Gluek represented a class of investors who were defrauded in a Ponzi scheme by a brokerage firm that sold bonds to sustain an entity that had collapsed into bankruptcy. Gustafson Gluek helped recover \$3 million for the class of 125 investors.

## **PRODUCT LIABILITY**

Sometimes, consumers are injured by the products they purchase. Products liability is an area of law that seeks to hold manufacturers of products that have injured individuals responsible for the injuries their defective products caused. These defective products range from medical devices to vehicles to diapers and many others. Gustafson Gluek PLLC represents consumers against the manufacturers of these defective products and has been able to achieve sizable recoveries on behalf of injured individuals. Below are some representative product liability cases that Gustafson Gluek is currently litigating:

### ***3M Co. Earplug Litig. (N.D. FL / D. Minn. / Minn. State Court)***

Gustafson Gluek represents civilians who purchased and used the 3M/Aero manufactured dual-sided earplugs for use in both job and recreational endeavors and who have since experienced hearing loss and tinnitus. Plaintiffs allege that the defendant failed to properly instruct plaintiffs on how to use these devices. Thus far, Plaintiffs in the Minnesota Litigation have successfully argued for the right to assert punitive damages and look forward to proving their assertions in an upcoming bellwether trial.

### ***In re FCA US LLC Monostable Electronic Gearshift Litig. (E.D. Mich.)***

Gustafson Gluek serves on the Plaintiffs' Steering Committee and represents individuals who owned or leased 2012-2014 Dodge Chargers, 2014-2015 Chrysler 300s, and 2014-2015 Jeep Grand Cherokees. Plaintiffs allege that these vehicles contain defective gearshifts, which allow vehicles to roll away out of the park position. Issue classes have been conditionally certified.

### ***Krautkramer et al., v. Yamaha Motor Corporation, U.S.A. (D. Minn.)***

Gustafson Gluek represents a proposed class of individuals who own or lease a range of Yamaha off-road vehicles. Plaintiffs allege that these vehicles are subject to overheating and engine failure due to a defect in the vehicle engines.

***Mackie et al v. American Honda Motor Co., Inc. et al. (D. Minn.)***

Gustafson Gluek represents a proposed class of consumers who purchased or leased 2019-2021 Honda CR-V and Civic vehicles and 2018-2021 Accord vehicles equipped with “Earth Dreams” 1.5L direct injection engines. Plaintiffs allege that these vehicles contain an engine defect which causes fuel contamination of the engine oil resulting in oil dilution, decreased oil viscosity, premature wear and ultimate failure of the engines, engine bearings, and other internal engine components, and an increased cost of maintenance.

***Reynolds, et al., v. FCA US, LLC (E.D. Mich.)***

Gustafson Gluek represents a proposed class of individuals who owned or leased 2018-2020 Jeep Wrangler and 2020 Jeep Gladiator vehicles. Plaintiffs allege that these vehicles contain a defective front axle suspension system that causes the steering wheel to shake violently while operating at highway speeds.

***Rice v. Electrolux Home Prod., Inc. (M.D. Pa.); Gorczynski v. Electrolux Home Products, Inc. (D.N.J.)***

Gustafson Gluek represents classes of individuals who own an Electrolux microwave with stainless-steel handles. Plaintiffs in these cases allege that these certain microwaves, which were sold to be placed over a cooktop surface, have stainless steel handles that can heat to unsafe temperatures when the cooktop below is in use.

***Woronko v. General Motors, LLC (E.D. Mich.)***

Gustafson Gluek represents a proposed class of individuals who owned or leased 2015-2016 Chevrolet Colorado and GMC Canyon vehicles. Plaintiffs allege that these vehicles are equipped with a defective electrical connection that causes the vehicles to lose power steering while driving under a variety of conditions. This case is in the initial pleading stage.

## **INTELLECTUAL PROPERTY & PATENT MISUSE**

### ***Augmentin Litig. (E.D. Va.)***

Gustafson Gluek represented a class of direct purchasers of the pharmaceutical drug, Augmentin. Plaintiffs alleged that defendant GlaxoSmithKline violated the antitrust laws by unlawfully maintaining its monopoly over Augmentin and preventing the entry of generic equivalents. Gustafson Gluek helped recover \$62.5 million for the class.

### ***Dryer, et al., v. National Football League (D. Minn.)***

The U.S. District Court for the District of Minnesota appointed Gustafson Gluek Lead Settlement Counsel in Dryer v. NFL. In that capacity, Gustafson Gluek represented a class of retired NFL players in protecting their rights to the use of their likenesses in marketing and advertising. Gustafson Gluek helped secure a settlement with the NFL that created unprecedented avenues of revenue generation for the class.

### ***In re Restasis (Cyclosporine Ophthalmic Emulsion) Antitrust Litig. (E.D.N.Y.)***

Gustafson Gluek represented a proposed class of End-Payor Plaintiffs in this antitrust class action. Plaintiffs alleged that defendant Allergan engaged in a multifaceted conspiracy to delay generic competition for its brand-name drug Restasis. Gustafson Gluek helped recover \$30 million for the class.

### ***Spine Solutions, Inc., et al. v. Medtronic Sofamor Danek, Inc., et al. (W.D. Tenn.)***

Gustafson Gluek was one of the counsel representing the plaintiff, Spine Solutions, Inc. and Synthes Spine So., L.P.P., in a patent litigation against Medtronic Sofamor Danek, Inc. and Medtronic Sofamor Donek, USA. The patent at issue in that case involved technology relating to spinal disc implants. This case went to trial in November 2008 and a jury verdict was returned in favor of our clients. The jury found willful infringements and awarded both lost profits and reasonable royalty damages to our clients.

***In re Wellbutrin SR Antitrust Litigation (E.D. Pa.)***

Gustafson Gluek played an integral role in this pharmaceutical class action. The firm represented direct purchasers of Wellbutrin SR, who alleged that defendant GlaxoSmithKline defrauded the U.S. Patent and Trademark Office and filed sham lawsuits against its competitors, which delayed the availability of the generic version of Wellbutrin SR to consumers. As a result of this delay, Plaintiffs alleged that they paid more for Wellbutrin SR than they would have if the generic version had been available to them. Gustafson Gluek was actively involved in the investigation, discovery, motion practice, and trial preparation for this case and served an essential role in the mediation that resulted in a \$49 million settlement to the direct purchasers.



## Pro Bono & Community

Gustafson Gluek recognizes that those who provide legal services are in a unique position to assist others. The Firm and its members strongly believe in giving back to the community by providing legal services to those in need. The law can make an immense difference in an individual's life; however, effectively navigating the legal system is not an easy task. Providing pro bono legal services promotes access to justice, by giving counsel to those who otherwise would not have it.

In keeping with this commitment to providing representation to those who otherwise do not have access to representation, Dan Gustafson was one of four lawyers who helped develop and implement the Minnesota *Pro Se* Project for the Minnesota Chapter of the Federal Bar Association. Because the Federal Bar Association did not have funding for the project, Gustafson Gluek volunteered to administer the Project during its inaugural year, starting in May 2009, devoting extensive resources to matching pro se litigants with volunteer counsel. In 2010, Chief Judge Michael Davis of the District of Minnesota awarded Dan Gustafson a Distinguished Pro Bono Service Award for "rising to the Court's challenge of bringing the idea of the *Pro Se* Project to fruition and nurturing the Project into its current form." Gustafson Gluek has continued representing clients through the *Pro Se* Project since that time.

## **Gustafson Gluek Supports the Following Volunteer Organizations**

- American Antitrust Institute
- The American Constitutional Society
- Association of Legal Administrators
- Children's Law Center
- Cookie Cart
- COSAL
- Division of Indian Work
- Domestic Abuse Project
- Farmers Union Foundation
- Federal Bar Association
- Federal *Pro Se* Project
- Great North Innocence Project
- Greater Minneapolis Crisis Nursery
- Hennepin County Bar Association
- Innocence Project of MN
- Infinity Project
- Minneapolis Jewish Foundation
- Minnesota Hispanic Bar Association
- Minnesota Paralegal Association
- Minnesota State Bar Association
- Minnesota Women Lawyers
- MN Chapter of the Federal Bar Association
- Page Education Foundation
- Project Hope
- Southern MN Regional Legal Services
- The Fund For Legal Aid Society
- Volunteer Lawyers Network

## **OUR PROFESSIONALS**

## DANIEL E. GUSTAFSON

Daniel E. Gustafson is a founding member of Gustafson Gluek PLLC. Mr. Gustafson has dedicated his career to helping individuals and small businesses litigate against large corporations for various antitrust, product defect or consumer fraud violations. He has also strived to use his legal skills to represent those who cannot otherwise afford a lawyer. Mr. Gustafson served as an appointed public defender in federal court, he was involved in helping develop the Federal Bar Association's *Pro Se* Project, which coordinates volunteer representation for *pro se* litigants, and he has spent thousands of hours representing individuals on a *pro bono* basis. In 2019, he was given a lifetime achievement award by the Minnesota Federal Bar Association for his work on the *Pro Se* Project.



Mr. Gustafson is admitted to practice in the United States District Court for the District of Minnesota, the United States District Court for the District of North Dakota, the United States District Court for the Eastern District of Michigan, the United States District Court for the Western District of Michigan, the United States District Court for the Eastern District of Wisconsin, the United States Courts of Appeals for the First, Third, Fifth, Sixth, Eighth and Eleventh Circuits, the Minnesota Supreme Court and in the United States Supreme Court.

Mr. Gustafson was an adjunct professor at the University of Minnesota Law School for many years, teaching a seminar long course on the "Fundamentals of Pretrial Litigation."

Mr. Gustafson is a past president of the Federal Bar Association, Minnesota Chapter (2002-2003) and served in various capacities in the Federal Bar Association over the last several years. He was the Vice-Chair of the 2003 Eighth Circuit Judicial Conference held during July 2003 in Minneapolis (Judge Diana E.

Murphy was the Chair of the Conference). He is a member of the Hennepin County, Minnesota, Federal, and American Bar Associations.

In September 2011, Mr. Gustafson testified before the House Committee on the Judiciary, Subcommittee on Intellectual Property, Competition and the Internet regarding the proposed merger between Express Scripts and Medco. Mr. Gustafson also testified before the United States Congressional Commission on Antitrust Modernization in June 2005. In addition to congressional testimonies, Mr. Gustafson has authored or presented numerous seminars and continuing legal education pieces on various topics related to class action litigation, antitrust, consumer protection or legal advocacy.

Mr. Gustafson served as a law clerk to the Honorable Diana E. Murphy, United States District Judge for the District of Minnesota (1989-91). Following his judicial clerkship, Mr. Gustafson worked in the fields of antitrust and consumer protection class action litigation. In May 2003, Mr. Gustafson formed Gustafson Gluek PLLC where he continues to practice antitrust and consumer protection class action law.

Mr. Gustafson has been actively involved in many cases, in which he, or the Firm, has been named Lead Counsel, Co-Lead Counsel, Co-Lead Trial Counsel, or Settlement Counsel, including:

- *In re DPP Beef Antitrust Litig.* (D. Minn.)
- *In re Pork Antitrust Litig.* (D. Minn.)
- *3M Earplugs Litig.* (Minn.)
- *In re Syngenta Litig.* (Minn.)
- *In re Broiler Chicken Antitrust Litig.* (N. D. Ill.)
- *In re Surescripts Antitrust Litig.* (N.D. Ill.)
- *In re Medtronic, Inc. Sprint Fidelis Liability Litig.* (D. Minn.)
- *Precision Assocs. Inc. v. Panalpina World Transport (Holding) Ltd.* (E.D.N.Y.)
- *In re Medtronic, Inc. Implantable Defibrillators Liability Litig.* (D. Minn.)
- *In re Vitamin C Antitrust Litig.* (E.D.N.Y.)
- *In re DRAM Antitrust Litig.* (N.D. Cal.)

- *The Shane Group, Inc. v. Blue Cross Blue Shield of Michigan* (E.D. Mich.)
- *Karsjens v. Jesson* (D. Minn.)
- *Synthes USA, LLC v. Spinal Kinetics* (N.D. Cal.)
- *KBA-Giori, North America, Inc., v. Muhlbauer, Inc.* (E.D. Va.)
- *Spine Solutions, Inc. v. Medtronic Sofamor Danek, Inc.* (W.D. Tenn.)
- *Dryer v. National Football League* (D. Minn.)

### **Additional Background Information**

#### **Education:**

- Juris Doctorate (1989)
  - University of Minnesota Law School
- Bachelor of Arts (1986)
  - University of North Dakota

#### **Court Admissions:**

- Minnesota Supreme Court
- U.S. District Court for the District of Minnesota
- U.S. Court of Appeals for the First, Second, Third, Fifth, Sixth, Eighth, Tenth and Eleventh Circuits
- U.S. Supreme Court

#### **Recognition:**

- Lifetime Achievement Award from the District of Minnesota Bar (2019)
- Selected by *Super Lawyers* as a Minnesota "Super Lawyer" (2001 - 2022)
- Selected by *Minnesota Lawyer* as Attorney of the Year (2010, 2013, 2017)
- Ranked in the "Top 100 Minnesota Lawyers" by *Super Lawyer* (2012-2021)
- MSBA North Star Lawyer (2012, 2013, 2015, 2018, 2020)
- American Antitrust Institute Meritorious Service Award (2014)
- Director of The Fund for Legal Aid Board (2014-2018)
- Infinity Project Board Member (2015)
- MWL President's Leadership Circle (2013-2014)
- UST School of Law Mentor (2014-2015)
- AAI Annual Private Enforcement Award and Conference Committee Member (2014- 2016)
- Richard S. Arnold Award for Distinguished Service (2021)

## KARLA M. GLUEK

Karla M. Gluek is a founding member of Gustafson Gluek PLLC. Ms. Gluek has been practicing in the areas of antitrust and consumer protection class action litigation since 1995, following her clerkship to the Honorable Gary Larson, District Judge, Fourth Judicial District of Minnesota. Ms. Gluek has spent her career representing individuals and small businesses against large corporation for various antitrust, product defect or consumer fraud violations.



In May 2003, Ms. Gluek joined Mr. Gustafson in forming Gustafson Gluek PLLC. In 2020, Ms. Gluek was elected as the Firm Manager for Gustafson Gluek, becoming the first woman to serve in that position at the Firm.

Throughout her law career, Ms. Gluek has also spent thousands of hours representing individuals on a pro bono basis as part of her commitment to justice for all. She has served as a volunteer attorney for the Minnesota Federal Bar Association's Federal *Pro Se* Project.

Ms. Gluek is admitted to practice in the United States District Court for the District of Minnesota and the Eighth Circuit Court of Appeals. She is a member of the Hennepin County, Minnesota, and Federal Bar Associations. Ms. Gluek is also an active member of the Minnesota Women's Lawyers. Ms. Gluek is a Board Member for the Fund for Legal Aid for the Mid-Minnesota Legal Aid.

She has been recognized several times as a North Star Lawyer for providing at least 50 hours of pro bono legal services in a calendar year to individuals with need. She has assisted in the representation of *pro se* litigants through the Federal Bar Association's *Pro Se* Project in addition to those referred to Gustafson Gluek by other sources. She was part of the team at Gustafson Gluek that represented a class of civilly committed sex offenders challenging the

constitutionality of Minnesota's commitment statutes in *Karsjens et al v. Jesson* (D. Minn.).

Ms. Gluek has been designated as a Minnesota "Super Lawyer" from 2011-2021 and has twice been selected as one of *Minnesota Lawyer's* Attorneys of the Year.

Ms. Gluek has worked on several cases in which Gustafson Gluek is or had been appointed to leadership positions or been actively involved including:

- *Hogan v. Amazon, Inc.* (N.D. Ill.)
- *3M Company Earplugs Litig.* (Minn.)
- *In re Plum Baby Food Litig.* (N.D. Cal.)
- *In re Gerber Co. Heavy Metals Baby Food Litig.* (E.D. Va.)
- *In re Nurture Baby Food Litig.* (S.D.N.Y.)
- *In re Syngenta Litig.* (Minn.)
- *In re Medtronic, Inc. Sprint Fidelis Liability Litig.* (D. Minn.)
- *In re Medtronic, Inc. Implantable Defibrillators Liability Litig.* (D. Minn.)
- *Karsjens v. Jesson* (D. Minn.)
- *Synthes USA, LLC v. Spinal Kinetics* (N.D. Cal.)
- *KBA-Giori, North America, Inc., v. Muhlbauer, Inc.* (E.D. Va.)
- *Spine Solutions, Inc. v. Medtronic Sofamor Danek, Inc.* (W.D. Tenn.)
- *Dryer v. National Football League* (D. Minn.)
- *In re Asacol Antitrust Litig.* (D. Mass.)
- *In re Wellbutrin SR/Zyban Direct Purchaser Antitrust Litig.* (E.D. Pa.)
- *Reitman v. Champion Petfoods* (C.D. Cal.)
- *Weaver v. Champion Petfoods* (E.D. Wis.)

### Additional Background Information

#### Education:

- Juris Doctor (JD)
  - William Mitchell College of Law
    - *cum laude*, J.D. (1993)



- Bachelor of Arts (BA)
  - University of St. Thomas (1990)

**Court Admissions:**

- Minnesota Supreme Court
- U.S. District Court for the District of Minnesota

**Recognition:**

- Selected by *Super Lawyers* as a Minnesota “Super Lawyer” (2011 – 2022)
- Selected by *Minnesota Lawyer* as an Attorney of the Year (2014, 2017)
- MSBA North Star Lawyer (2012, 2013, 2015, 2018, 2020)

## **ABOUT B. AMARA, JR.**



Mr. Amara joined Gustafson Gluek PLLC as an associate in August 2021, after clerking for Associate Justice Anne K. McKeig and Associate Justice Paul C. Thissen of the Minnesota Supreme Court. As an associate at the Firm, Mr. Amara will be representing individuals and small businesses alleging antitrust, consumer, civil rights, and constitutional, and financial securities violations in both state and federal court. Before clerking on the Minnesota Supreme Court, Mr. Amara was an associate attorney at a well-respected Minneapolis law firm.

During law school, Mr. Amara was a two-time National Moot Court individual champion—earning the “Best Oralist” award at both the 2018 William E. McGee National Moot Court Competition on Civil Rights and the 2019 Evan A. Evans National Moot Court Competition on Constitutional Law. Mr. Amara was also elected by his law school classmates to serve as commencement speaker.

Before law school, Mr. Amara had an extensive career in the legislative and political arena, including serving as a top aide to the Minnesota Speaker of the House, Minnesota Secretary of State, and frequent TV/radio commentator and analyst on Minnesota politics and public affairs.

In 2015, Mr. Amara was named to Twin Cities Business Magazine’s “100 Minnesotans to Know” list for his impact in the public affairs arena and honored as a Minnesota “Shaper of the Future” by the publication.

Mr. Amara currently serves on the board of MicroGrants, a nonprofit dedicated to providing \$1,000 grants to low-income people pursuing potential to invest in their lives, and is a member of the leadership team of the Minnesota Association of Black Lawyers, serving as the organization’s Vice-President. Mr. Amara has

been elected to serve as Co-Chair of the Minnesota Chapter of the Federal Bar Association's New Lawyer Committee for the next year.

Mr. Amara has worked on several cases in which Gustafson Gluek is, or has been appointed to leadership positions or been actively involved, including:

- *In re DPP Beef Litig.* (D. Minn.)
- *In re Pork Antitrust Litig.* (D. Minn.)
- *Roamingwood Sewer v. National Diversified Sales, Inc.* (M.D. Pa.)
- *Mortgage Refinancing* (N.C. Cal.)
- *Oil and Gas Litig.* (Investigating)

### **Additional Background Information**

#### **Education:**

- Juris Doctor
  - University of St. Thomas
- Master of Public Policy
  - University of Minnesota
    - Hubert H. Humphrey School of Public Affairs
- Bachelor of Arts (BA)
  - University of Wisconsin-Eau Claire

#### **Court Admissions:**

- Minnesota Supreme Court (Minn.)
- United States District Court for the District of Minnesota (D. Minn.)

#### **Recognition:**

- Named Outstanding New Lawyer of the Year by the Minnesota State Bar Association (2022)
- Selected by *Minnesota Lawyers* as an "Up and Coming Attorney of the Year" (2022)

## AMANDA M. WILLIAMS

Amanda M. Williams is a member of Gustafson Gluek PLLC. Ms. Williams joined the Firm in 2005, following her clerkship with the Honorable Gordon W. Shumaker, Minnesota Court of Appeals. Since then, she has been actively litigating consumer protection, product liability, and antitrust class actions.

Ms. Williams is admitted to the Minnesota Bar and is admitted to practice in the United States District Court for the District of Minnesota.



Ms. Williams is an active member of Minnesota Women Lawyers and is former chair of the Law School Scholarship Committee. She currently serves on the Board of the Infinity project, which is an organization whose mission is to increase the gender diversity of the state and federal bench to ensure the quality of justice in the Eighth Circuit.

She serves as a volunteer attorney for the Minnesota Federal Bar Association's Federal *Pro Se* Project and is a recipient of the Minnesota chapter of the Federal Bar Association's 2011 Distinguished *Pro Bono* Service award.

Ms. Williams has been recognized as a "Rising Star" from 2014-2019 by *Super Lawyers* and was selected as one of *Minnesota Lawyer's* Attorneys of the Year in 2017. Ms. Williams was also designated as a Minnesota "Super Lawyer" by *Super Lawyer* in 2021.

Ms. Williams has worked on several cases in which Gustafson Gluek is or had been appointed to leadership positions or actively involved including:

- *In re Medtronic, Inc., Implantable Defibrillators Prod. Liab. Litig.* (D. Minn.)

- *In re Syngenta Litig.* (Minn.)
- *In re Asacol Antitrust Litig.* (D. Mass.)
- *Ciofoletti et al. v. Securian Financial Group, Inc.* (D. Minn.)
- *Reed, et al. v. Advocate Health Care, et al.* (N.D. Ill.)
- *3M Company Earplugs Litig.* (Minn.)
- *In re Medtronic Inc. Sprint Fidelis Leads Prod. Liab. Litig.* (D. Minn.)
- *Karsjens et al v. Jesson* (D. Minn.)
- *St. Jude (Pinsonneault v. St. Jude Medical, Inc., et al.* (D. Minn.); *Houlettev. St. Jude Medical Inc., et al.* (D. Minn.); *Rouse v. St. Jude Medical, Inc., et al.* (D. Minn.))
- *American Home Realty Network (Regional Multiple Listing Service of Minnesota, Inc., d/b/a NorthstarMLS v. American Home Realty Network, Inc.,* (D. Minn.); *Metropolitan Regional Information Systems, Inc., v. American Home Realty Network, Inc.* (D. Md.); *Preferred Carolinas Realty, Inc., v. American Home Realty Network, Inc., d/b/a Neighborcity.com* (M.D.N.C.))

### Additional Background Information

#### Education:

- Juris Doctor (2004)
  - University of Minnesota Law School
    - Jessup International Law Moot Court
    - Comparative international law program in Greece
- Bachelor of Arts (2001)
  - Gustavus Adolphus College
    - *Magna cum laude*
    - *Phi Beta Kappa*

#### Court Admissions:

- Minnesota Supreme Court
- U.S. District Court for the District of Minnesota

#### Recognition:

- Selected by *Super Lawyers* as a Minnesota “Super Lawyer” (2021-2022)
- Selected by *Super Lawyers* as a Minnesota “Rising Star” (2013 – 2019)
- Selected by *Minnesota Lawyer* as an Attorney of the Year (2017)
- MSBA North Star Lawyer (2015)
- Minnesota District Court’s Distinguished Pro Bono Service Award (2011)

## **BAILEY TWYMAN-METZGER**

Bailey Twyman-Metzger joined Gustafson Gluek in March 2023 after working as an attorney editor at Thomson Reuters, where she was actively involved in pro bono work. Prior to her work at Thomson Reuters, Bailey was a Robina Post-Graduate Fellow at the Advocates for Human Rights.

Upon joining Gustafson Gluek, Bailey will be practicing in the areas of consumer protection and antitrust litigation, where she will be representing individuals and small businesses in both federal and state court. Bailey is an active member of the Minnesota Lavender Bar Association.

Bailey is a 2015 graduate of Miami University with a B.A. in History and Women, Gender, and Sexuality Studies, and a minor in Art History, and a 2018 cum laude graduate of the University of Minnesota Law School. While in law school, Bailey was a staffer and Lead Symposium Editor for the Minnesota Journal of Law & Inequality. Bailey was also a student attorney and director for the University of Minnesota Human Rights Litigation and International Legal Advocacy Clinic.

### **Additional Background Information**

#### **Education:**

- Juris Doctor (2018)
  - University of Minnesota Law School
    - Lead Symposium Editor, Minnesota Journal of Law & Inequality
- Bachelor of Arts (2015)
  - Miami University

#### **Court Admissions:**

- Minnesota Supreme Court

## CATHERINE K. SMITH

Catherine Sung-Yun K. Smith is a member of Gustafson Gluek PLLC. Since joining the Firm in 2007, Ms. Smith has been practicing in the area of complex antitrust and consumer protection litigation, particularly cases involving foreign entities. Ms. Smith is fluent in Korean and English and also has basic language skills in German, Japanese, and Chinese.



Ms. Smith has been serving on the Antitrust Enforcement Award Judging Committee for the American Antitrust Institute since 2015-2021. Ms. Smith was selected as a Minnesota "Rising Star" from 2013-2016 by *Super Lawyers*. She is an active member of Minnesota Women Lawyers and the Federal Bar Association focusing on issues of diversity.

Ms. Smith has represented many *pro se* litigants through the Federal Bar Association's *Pro Se* Project in addition to those referred to Gustafson Gluek by other sources and received the Distinguished Pro Bono Service Award in 2010 for her efforts.

She is a graduate of Korea University (B.A. 2000) and a graduate of University of Minnesota Law School (J.D. 2005). Ms. Smith is admitted to the New York Bar, Minnesota Bar and is admitted to practice in the United States District Court for the District of Minnesota.

Ms. Smith has worked on several cases in which Gustafson Gluek is or had been appointed to leadership positions or been actively involved including:

- *In re Nurture Baby Food Litig.* (S.D.N.Y.)
- *In re Gerber Co. Heavy Metals Baby Food Litig.* (E.D. Va.)
- *In re Plum Baby Food Litig.* (N.D. Cal.)

- *Thomas et al v. Beech-Nut Nutrition Company* (N.D.N.Y)
- *Baldwin et al v. Miracle-Ear, Inc.* (D. Minn.)
- *In re Hard Disk Drive Suspension Assemblies Antitrust Litig.* (N.D. Cal.)
- *In re Cathode Ray Tube (CRT) Antitrust Litig.* (N.D. Cal.)
- *Fuentes et al. v. Jiffy Lube International, Inc.* (E.D. Pa)
- *In re Juul Labs, Inc., Antitrust Litig.* (N.D. Cal.)
- *In re Lithium Ion Batteries Antitrust Litig.* (N.D. Cal.)
- *In re Dealer Management Systems Antitrust Litig.* (N.D. Ill.)*In re Optical Disk Drive Products Antitrust Litig.* (N.D. Cal.)
- *In re TFT-LCD (Flat Panel) Antitrust Litig.* (N.D. Cal.)
- *In re Remicade Antitrust Litig.* (E.D. Pa.)
- *Fath et al. v. Honda North America, Inc.* (D. Minn.)
- *Penrod et al. v. K&N Engineering, Inc.* (D. Minn.)
- *Frost et al. v. LG Corp., et al.* (N.D. Cal.)
- *In re Railway Industry Employee No-Poach Antitrust Litig.* (W.D. Pa.)
- *In re Korean Air Lines Co. Ltd. Antitrust Litig.* (C.D. Cal.)
- *In re Automotive Parts Antitrust Litig.* (E.D. Mich.)

### **Additional Background Information**

#### **Education:**

- Juris Doctor (2005)
  - University of Minnesota Law School
    - Director of the Civil Practice Clinic
    - Director of William E. McGee National Civil Rights Moot Court Competition
    - Participant in the Maynard Pirsig Moot Court
- Bachelor of Arts (2000)
  - Korea University

#### **Court Admissions:**

- Minnesota Supreme Court
- U.S. District Court for the District of Minnesota
- Appellate Division of the New York State Supreme Court
- U.S. District Court for the Northern District of New York

#### **Recognition:**

- Selected by *Super Lawyers* as a Minnesota “Super Lawyer” (2022)
- Selected by *Super Lawyers* as a Minnesota “Rising Star” (2013 – 2016)
- Minnesota District Court’s Distinguished Pro Bono Service Award (2010)



## DANIEL C. HEDLUND

Daniel C. Hedlund is a member of Gustafson Gluek PLLC, having joined the Firm in 2006. Throughout his legal career, Mr. Hedlund has practiced in the areas of antitrust, securities fraud, and consumer protection, and, in 2021, Mr. Hedlund was appointed to Co-Chair the Firm's antitrust litigation team.



Mr. Hedlund is admitted to practice in the United States District Court for the District of Minnesota, the Eighth Circuit Court of Appeals, the Second Circuit Court of Appeals, and in Minnesota State Court. He is a member of the Federal, American, Minnesota, and Hennepin County Bar associations. Mr. Hedlund is active in the Minnesota Chapter of the Federal Bar Association (FBA), recently completing a term as President for the Minnesota chapter of the FBA. He has previously served in several roles for the Minnesota Chapter including: Co-Vice President for the Eighth Circuit, Legal Education; Co-Vice President, Special Events; Co-Vice President, Monthly Meetings; Secretary; and Liaison between the FBA and the Minnesota State Bar Association. He recently served as Chairman for the Antitrust Section of the Minnesota State Bar Association (MSBA), Secretary for the MSBA Consumer Litigation Section, and is past President of the Committee to Support Antitrust Laws.

In addition to presenting at numerous CLEs, Mr. Hedlund has testified multiple times before the Minnesota legislature on competition law, and before the Federal Rules Committee.

From 2013-2021, he has been designated as a Minnesota "Super Lawyer," in the field of antitrust law. He was also ranked in the Top 100 Minnesota Lawyers by *Super Lawyers* in 2015 and 2017-2021. Mr. Hedlund has served as a volunteer attorney for the Minnesota Federal Bar Association's Federal Pro Se Project and

is the recipient of the Minnesota District Court's Distinguished *Pro Bono* Service Award in 2011.

Mr. Hedlund served as a law clerk on the Minnesota Court of Appeals (1997) and in the Fourth Judicial District of Minnesota (1995-1996).

Mr. Hedlund has worked on several cases in which Gustafson Gluek is or had been appointed to leadership positions or been actively involved including:

- *In re Beef DPP Antitrust Litig.* (D. Minn.)
- *In re Broiler Chicken Antitrust Litig.* (N.D. Ill.)
- *In re Interior Molded Doors Indirect Purchaser Antitrust Litig.* (E.D. Va.)
- *In re Pork Antitrust Litig.* (D. Minn.)
- *In re Deere & Company Repair Services Antitrust Litig.* (N.D. Ill.)
- *Bhatia v. 3M Co.* (D. Minn.)
- *In re Dealer Management Systems Antitrust Litig.* (N.D. Ill.)
- *Kleen Prods. v. Intl. Paper (Containerboard Antitrust Litig.)* (N.D. Ill.)
- *In re CenturyLink Sales Practices and Securities Litig.* (D. Minn.)
- *Precision Assocs., Inc. v. Panalpina World Transport (Holding) Ltd.* (E.D.N.Y.)
- *The Shane Group, Inc. v. Blue Cross Blue Shield of Michigan* (E.D. Mich.)
- *In re Vitamin C Antitrust Litig.* (E.D.N.Y.)
- *In re Blue Cross Blue Shield Antitrust Litig.* (N.D. Ala.)
- *In re DRAM Antitrust Litig.*

### Additional Background Information

#### Education:

- Juris Doctor (1995)
  - University of Minnesota Law School
    - Note and Comment Editor: Minnesota Journal of Global Trade
- Bachelor of Arts (1989)
  - Carleton College

#### Court Admissions:

- Minnesota Supreme Court
- U.S. District Court for the District of Minnesota

**Recognition:**

- Selected by *Super Lawyers* as a Minnesota “Super Lawyer” (2013 – 2022)
- Ranked in Top 100 Minnesota Lawyers by *Super Lawyers* (2015, 2017 – 2021)
- Minnesota District Court’s Distinguished Pro Bono Service Award (2011)
- Recipient of the Federal Bar Association’s John T. Stewart, Jr. Memorial Fund Writing Award (1994)

**Publications:**

- Co-Authored “Plaintiff Overview” in *Private Antitrust Litigation 2015 – Getting the Deal Through*
- Contributor to *Concurrent Antitrust Criminal and Civil Procedure 2013 – American Bar Association*

## DANIEL J. NORDIN

Daniel J. Nordin joined Gustafson Gluek PLLC as an associate in 2011 after graduating from the University of Minnesota law school. Since joining the Firm, he has practiced in the areas of antitrust and consumer protection, representing primarily small businesses and individuals bringing claims against large corporations. Mr. Nordin became a member of Gustafson Gluek in 2019.



In addition to his day-to-day practice, Mr. Nordin has represented several individuals through the Minnesota Federal Bar's *Pro Se* Project, a program that matches pro se litigants with pro bono attorneys.

Mr. Nordin is admitted to the Minnesota Bar and is admitted to practice in the United States District Court for the District of Minnesota. He is also a member of the Federal Bar Association and the Minnesota Bar Association.

In law school, Mr. Nordin was a Managing Editor on the *Minnesota Journal of Law, Science & Technology*. He also volunteered as a Tenant Advocate with HOME Line, a nonprofit tenant advocacy organization, through the University of Minnesota Law School's Public Interest Clinic.

Mr. Nordin has worked on several cases in which Gustafson Gluek is or had been appointed to leadership positions or been actively involved including:

- *Google Digital Publisher Antitrust Litig.* (S.D.N.Y.)
- *In re Crop Inputs Antitrust Litig.* (E.D. Mo.)
- *Jones v. Varsity Brands, LLC* (W.D. Tenn.)
- *In re Hard Disk Drive Suspension Assemblies Antitrust Litig.* (N.D. Cal.)
- *In re Surescripts Antitrust Litigation* (N.D. Ill.)
- *In re FICO Antitrust Litig.* (N.D. Ala.)

- *In re Blue Cross Blue Shield Antitrust Litig.* (N.D. Ala.)
- *In re Dealer Management Systems Antitrust Litig.* (N.D. Ill.)
- *In re Packaged Seafood Products Antitrust Litig.* (S.D. Cal.)
- *In re Resistors Antitrust Litig.* (N.D. Cal.)
- *The Shane Group, Inc., et al., vs. Blue Cross Blue Shield of Michigan* (E.D. Mich.)
- *In re Parking Heaters Antitrust Litig.* (E.D.N.Y.)
- *In re Drywall Antitrust Litig.* (E.D. Pa.)

### **Additional Background Information**

#### **Education:**

- Juris Doctor (2011)
  - University of Minnesota Law School
    - Magna cum laude
    - Managing Editor: Minnesota Journal of Law Science & Technology
- Bachelor of Arts (2007)
  - University of Minnesota
    - with distinction

#### **Court Admissions:**

- Minnesota Supreme Court
- U.S. District Court for the District of Minnesota
- U.S. District Court for the Eastern District of Michigan

#### **Recognition:**

- Selected by *Super Lawyers* as a Minnesota “Rising Star” (2018 – 2022)
- MSBA North Star Lawyer (2020)

## DAVID A. GOODWIN

David A. Goodwin is a member of Gustafson Gluek PLLC. When Mr. Goodwin joined the Firm in 2008, he began practicing in the areas of antitrust, securities and consumer protection. Since then, he has represented many small businesses and individuals in litigating their claims against some of the largest companies in the world.



In addition, Mr. Goodwin has served as counsel to many individuals on a pro bono basis through his work with the Minnesota Federal Court's *Pro Se* Project, which matches pro se litigants with pro bono attorneys. Through the *Pro Se* Project, Mr. Goodwin has represented individuals in bringing employment claims, constitutional claims and other civil claims that might otherwise not have been heard.

Mr. Goodwin is admitted to practice in the Minnesota Bar and is admitted to practice in the United States District Court for the District of Minnesota.

Mr. Goodwin is active in the Federal Bar Association on the national level as well as with the Minnesota Chapter. He has served as a National Director of the FBA. He is also a past Chair of the Younger Lawyers Division. Currently, he is an Eighth Circuit Vice President. David is also a Director of the Minnesota Chapter of the FBA, where he serves as the FBA Liaison for the *Pro Se* Project. Mr. Goodwin is also active with the Minnesota State Bar Association, where he has served as a Co-Chair of the Consumer Litigation Section.

Mr. Goodwin is currently or has recently worked on several cases in which Gustafson Gluek is or had been appointed to leadership positions or actively involved including:

- *Kevin Brnich Electric LLC et al. v. Siemens Industry Inc.* (N.D. Ga.)
- *In Re: Kia Hyundai Vehicle Theft Marketing, Sales Practices, and Products Liability Litigation* (C.D. Ca.)
- *Thelen, et al., v. HP. Inc.* (D. De.)
- *Salinas, et al., v. Block, Inc., et al.,* (N.D. Ca.)
- *Hogan v. Amazon, Inc.* (N.D. Ill.)
- *Krukas et al. v. AARP, Inc., et al.* (D.D.C.)
- *Salmons v. National Railroad Passenger Corp., d/b/a AMTRAK* (D.D.C.)
- *FCA US LLC Monostable Electronic Gearshifts Litig.* (E.D. Mich.)
- *Krautkramer v. Yamaha Motor Corporation, USA* (D. Minn.)
- *Reynolds, et al., v. FCA US, LLC* (E.D. Mi.)
- *Gisairo v. Lenovo (United States) Inc.* (D. Minn.)
- *Kottemann Orthodontics, P.L.L.C. v. Delta Dental Plans Association, et al.* (D. Minn.)
- *In re: Dealer Management Systems Antitrust Litig.* (N.D. Ill.)
- *Karsjens et al. v. Harpstead, et al.* (D. Minn.)
- *In re: National Prescription Op*
- *Phillips v. Caliber Home Loans* (D. Minn.)
- *Woronko v. General Motors, LLC* (E.D. Mich.)
- *Dryer et al. v. National Football League* (D. Minn.)
- *National Hockey League Players' Concussion Injury Litig.* (D. Minn.)
- *In re Aluminum Warehousing Antitrust Litig.* (S.D.N.Y.)
- *In re: National Prescription Opioids Litig.* (N.D. Oh.)

### **Additional Background Information**

#### **Education:**

- Juris Doctor (2006)
  - DePaul University College of Law
- Bachelor of Arts (2001)
  - University of Wisconsin

#### **Court Admissions:**

- Minnesota Supreme Court
- U.S. District Court for the District of Minnesota

**Recognition:**

- Selected by *Super Lawyers* as a Minnesota “Super Lawyer” (2022)
- Selected by *Super Lawyers* as a Minnesota “Rising Star” (2013 – 2018)
- MSBA North Star Lawyer (2012-2016, 2018, 2020)



## DENNIS STEWART

Dennis Stewart joined Gustafson Gluek PLLC as a member in 2019, opening the Firm's San Diego office. Mr. Stewart comes to Gustafson Gluek with years of experience in litigating antitrust, consumer and securities class and individual actions. His cases have ranged across a wide variety of industries including carbon fiber, credit card fees, interchange, casino gaming, sports broadcasting, college athletics, rental car fees, electronics components, medical devices, medical services, casino gaming, and defense procurement.



He is currently serving as one of the counsel in the leadership group in *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litig.* He also is one of the counsel participating in the representation of End Purchaser Plaintiffs in *In re Packaged Seafood Products Antitrust Litig.* (S.D. Cal.), Commercial and Industrial Indirect Purchaser Plaintiffs in *In re Broiler Chicken Antitrust Litig.* (N.D. Ill.) and one of the trial counsel in *In re: Cathode Ray Tube (CRT) Antitrust Litig.* (N.D. Cal.). Mr. Stewart recently served as one of the counsel who successfully obtained an injunction requiring the National Womens Soccer League to permit a 15 ½ year old womens soccer player to play in the NWSL despite a minimum age rule which would have blocked her participation in the league.

Between 1981 and 1985, he worked for a major San Diego law firm and engaged in a general commercial litigation practice. Between 1985 and 1988, Mr. Stewart served as a trial attorney with the Antitrust Division of the United States Department of Justice. While at the Antitrust Division, Mr. Stewart participated in investigations and trials involving alleged criminal violations of the antitrust and related laws in waste hauling, movie exhibition, and government procurement and was lead trial counsel in the successful prosecution through trial of *United States v. Soft America, Inc.* (D.N.J.).

Since leaving government service, Mr. Stewart has served as Lead Counsel, Principal Counsel and/or Trial Counsel in numerous antitrust, consumer and securities cases, both class and non-class. He was Lead Trial Counsel in *Knapp v. Ernst & Whinney* (9th Cir. 1996), in which a plaintiffs' verdict was returned in a Rule 10b-5 securities fraud class action, and *Hall v. NCAA*, (D. Kan.) in which Plaintiffs' verdicts were returned for NCAA assistant coaches.

Mr. Stewart has also served as Co-Lead Trial Counsel, Co-Lead Counsel, Trial Counsel or played an integral role in the following litigation:

- *In re Airline Ticket Commission Antitrust Litig.* (D. Minn.)
- *In re Contact Lens Antitrust Litig.* (M.D. Fla.)
- *In re Lifescan Consumer Litig.* (N.D. Cal.)
- *Carbon Fiber Antitrust Litig.* (C.D. Cal.)
- *In re Currency Conversion Litig.* (S.D.N.Y.)
- *Schwartz v. Visa* (Cal. Sup Ct.)
- *In re Polypropylene Carpet Antitrust Litigation* (N.D. Ga.)
- *Shames v. Hertz Corp.* (S.D. Cal.)
- *In re Broadcom Securities Litig.* (C.D. Cal.)
- *In re: Cathode Ray Tube (CRT) Antitrust Litig.* (N.D. Cal.)

### **Additional Background Information**

#### **Education:**

- Juris Doctor
  - Hofstra University

#### **Court Admissions:**

- California Supreme Court
- U.S. District Court for the District of California

#### **Recognitions:**

- Selected by *Super Lawyers* as a California "Super Lawyer" (2012 – 2018; 2022)

## FRANCES MAHONEY-MOSEDALE

Ms. Mahoney-Mosedale became an associate of Gustafson Gluek PLLC in 2021 after clerking for the firm throughout law school.

Ms. Mahoney-Mosedale represents individuals and small businesses on behalf of themselves and/or a class in the in the areas of consumer protection, product defect, and antitrust. Ms. Mahoney-Mosedale is actively involved in assisting to represent individuals on a pro bono basis through the Minnesota Federal Bar Associations Pro Se Project, which matches pro se litigants to pro bono clients. She is an active member of Minnesota Women Lawyers, the American Bar Association, Federal Bar Association, Minnesota State Bar Association, and the Lavender Bar Association.



Ms. Mahoney-Mosedale has a Bachelor of Arts from Lewis & Clark college, graduating with a major in English and a minor in Gender Studies. Frances is also a graduate of the University of Minnesota Law School.

Ms. Mahoney-Mosedale has worked on several cases in which Gustafson Gluek is, or has been appointed to leadership positions or been actively involved, including:

- *Deere & Company Repair Services Antitrust Litig.* (N.D. Ill.)
- *Samaha, et al. v. City of Minneapolis, et al* (D. Minn.)
- *Google Digital Publisher Antitrust Litig.* (S.D. N.Y.)
- *Jones v. Varsity Brands, LLC* (W.D. Tenn.)

## **Additional Background Information**

### **Education:**

- Juris Doctor (2021)
  - University of Minnesota Law School
- Bachelor of Arts (2016)
  - Lewis and Clark College

### **Court Admissions:**

- Minnesota Supreme Court
- United States District Court for the District of MN

## JASON S. KILENE

Jason Kilene is a member of Gustafson Gluek PLLC. He is a graduate of the University of North Dakota (B.A. 1991) and a graduate of the University of North Dakota School of Law (J.D., *with distinction*, 1994).



Mr. Kilene joined Gustafson Gluek in 2003 and became a member shortly thereafter. Prior to joining Gustafson Gluek, Mr. Kilene served as a law clerk to the Honorable Bruce M. Van Sickle, United States District Judge for the District of North Dakota. Following his clerkship, Mr. Kilene represented numerous clients in the areas of commercial and complex litigation. Since then, Mr. Kilene has continued his practice in the areas of antitrust, consumer protection and other complex litigation.

Mr. Kilene is admitted to the Minnesota Bar, North Dakota Bar and is admitted to practice in the United States District Court for the District of Minnesota and the District of North Dakota. He is also a member of the Hennepin County, Minnesota, North Dakota, and Federal Bar Associations.

Mr. Kilene currently represents individuals and businesses harmed by anticompetitive business practices. He was part of the trial team that successfully recovered damages suffered by his clients due to alleged defective software in *In re J.D. Edwards World Solutions Company*, (AAA) (trial counsel for plaintiffs Quantegy and Amherst). Mr. Kilene also plays a significant role in identification, investigation, initiation and development of complex class action matters, along with his significant involvement with client relations.

Mr. Kilene has worked on several cases in which Gustafson Gluek is or had been appointed to leadership positions or been actively involved including:

- *In re Automotive Parts Antitrust Litig.* (E.D. Mich.)
- *In re Transpacific Passenger Air Transportation Antitrust Litig.* (N.D. Cal.)
- *In re Domestic Drywall Antitrust Litig.* (E.D. Pa.)
- *In re Payment Card Interchange Fee and Merchant Discount Litig.* (E.D.N.Y.)
- *In re Broiler Chicken Antitrust Litig.* (N.D. Ill.)
- *In re Domestic Drywall Antitrust Litig.* (E.D. Penn.)
- *In re Lithium Ion Batteries Antitrust Litig.* (N.D. Cal.)
- *In re Optical Disk Drive Antitrust Litig.* (N.D. Cal.)

### **Additional Background Information**

#### **Education:**

- Juris Doctor (1994)
  - University of North Dakota School of Law
    - with distinction
- Bachelor of Arts (2016)
  - University of North Dakota

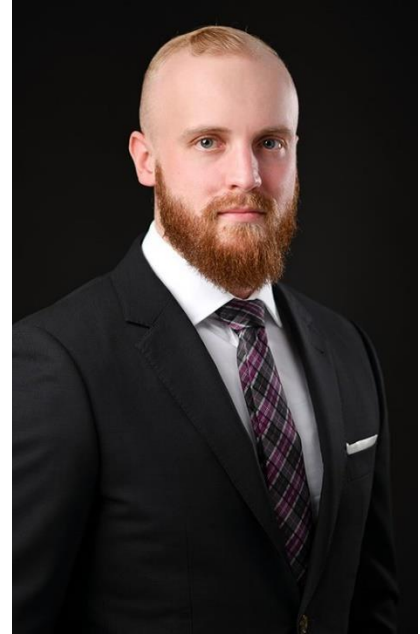
#### **Court Admissions:**

- Minnesota Supreme Court
- United States District Court for the District of MN
- North Dakota Supreme Court
- United States District Court for the District of ND

## JOE NELSON

Mr. Nelson joined Gustafson Gluek PLLC as an associate in November 2022 after clerking for the Honorable Kate Menendez at the United States District Court for the District of Minnesota and the Honorable James B. Florey at the Minnesota Court of Appeals.

Mr. Nelson will be practicing in the areas of antitrust, product defect, consumer protection and civil rights. He has already delved into constitutional issue for pro bono cases at Gustafson Gluek and has been investigating potential product defect cases.



Mr. Nelson graduated *cum laude* from Mitchell-Hamline School of Law in 2019. While in law school, he served as an editor on the Mitchell-Hamline Law Review and volunteered with the Self-Help Clinic, which helps individuals represent themselves in court. He also clerked for a Twin Cities plaintiff's employment law firm.

Mr. Nelson is committed to the protection of civil rights, consumer safety, and fair competition.

### **Additional Background Information**

#### **Education:**

- Juris Doctor (2019)
  - Mitchell-Hamline School of Law
    - Editor: Minnesota Mitchell-Hamline Law Review
- Bachelor of Arts (2014)
  - Saint John's University

#### **Court Admissions:**

- Minnesota Supreme Court
- U.S. District Court for the District of Minnesota

## JOSHUA J. RISSMAN

Joshua Rissman joined Gustafson Gluek in 2010 as an associate and became a member of the Firm in 2018. Since joining the Firm, Mr. Rissman has focused his practice on antitrust and class action litigation. Mr. Rissman prides himself on vigorously representing small businesses and individuals damaged by wrongful corporate and government conduct.



In addition to his antitrust class action practice, Mr. Rissman has brought several pieces of important constitutional litigation involving mistreatment of juvenile detainees and police brutality. He currently represents a former juvenile detainee who alleges he was abused at the Minnesota Correctional Facility – Red Wing, and that the administration was aware of the risks to the juvenile and failed to protect him. *Doe v. Hanson et al.* (Minn.) Mr. Rissman was also the lead attorney in a section 1983 constitutional rights action brought on behalf of the family of a man killed by Brooklyn Center police officers in 2015. *Khottavongsa v. City of Brooklyn Center* (D. Minn.). Mr. Rissman is currently representing a class of protestors who were unlawfully subjected to tear gas and pepper spray in the protest following the George Floyd protest. *Samaha, et al. v. City of Minneapolis, et al* (D. Minn.).

Mr. Rissman was selected a Minnesota Rising Star by Super Lawyers in the area of antitrust litigation (2014 – 2020) and was selected as a “Super Lawyer” in 2021. He is the Treasurer of the Antitrust Section of the Federal Bar Association, and counsel member of the Minnesota Bar Association Antitrust Section. Joshua also participates in the *Pro Se* Project, representing civil litigants in federal court who would otherwise go without representation.



Mr. Rissman has worked on several cases in which Gustafson Gluek is or had been appointed to leadership positions or been actively involved including:

- *In re Pork Antitrust Litig.* (D. Minn.)
- *In re DPP Beef Antitrust Litig.* (D. Minn.)
- *In re Containerboard Antitrust Litig.* (N.D. Ill.)
- *In re Broiler Chicken Antitrust Litig.* (N.D. Ill.)
- *In National Hockey League Players' Concussion Injury Litig.* (D. Minn.)
- *Precision Assocs., Inc. v. Panalpina World Transport (Holding) Ltd.* (E.D.N.Y.)
- *In re Lithium Batteries Antitrust Litig.* (N.D. Cal.)
- *In re Optical Disk Drives Litig.* (N.D. Cal.)
- *In re Asacol Antitrust Litig.* (D. Mass.)
- *In re Opana Antitrust Litig.* (N.D. Ill.)
- *City of Wyoming et al. v. Procter & Gamble Company* (D. Minn.)

### **Additional Background Information**

#### **Education:**

- Juris Doctor (2010)
  - University of Minnesota School of Law
    - *cum laude*
- Bachelor of Arts (2005)
  - University of Minnesota
    - *magna cum laude*

#### **Court Admissions:**

- Minnesota Supreme Court
- U.S. District Court for the District of Minnesota

#### **Recognition:**

- Selected by *Super Lawyers* as a Minnesota "Super Lawyer" (2021-2022)
- Selected by *Super Lawyers* as a Minnesota "Rising Star" (2014 – 2020)

## KAITLYN L. DENNIS

Kaitlyn L. Dennis joined Gustafson Gluek PLLC as an associate in 2016. Since joining the Firm, Ms. Dennis has practiced in the areas of consumer protection, product liability, and antitrust litigation. In 2022, she was appointed to serve as Interim Co-Lead Counsel in the *In re Deere Repair Services Antitrust Litigation*, making her among the youngest attorneys ever appointed to serve as co-lead counsel in a nationwide class action.



In addition to her regular practice, Ms. Dennis has assisted multiple *pro se* litigants through the Federal Bar Association's *Pro Se* Project and is recognized as a North Star Lawyer for providing at least 50 hours of *pro bono* legal services in a calendar year. She was lead attorney in an arbitration trial alleging workplace discrimination on behalf of a *pro bono* client.

She is an active member of the American Bar Association, Federal Bar Association, Minnesota Bar Association, Minnesota Women Lawyers, and is the Chair of the Young Lawyers Division of the Committee to Support the Antitrust Laws ("COSAL"). In 2022, Ms. Dennis was one of the primary authors of an amicus brief filed by COSAL in the ninth circuit in the *Epic v. Apple* appeal. She is also one of the authors contributing to the forthcoming Rule of Reason Handbook for the ABA Antitrust Section.

Ms. Dennis is admitted to the Minnesota Bar and is admitted to practice in the United States District Court for the District of Minnesota.

Prior to joining Gustafson Gluek, Ms. Dennis worked as a fellowship attorney at the Equal Employment Opportunity Commission and assisted the Honorable Arthur J. Boylan, ret., during the mediation of the bankruptcy of the Archdiocese of St. Paul and Minneapolis.

Ms. Dennis has worked on several cases in which Gustafson Gluek is or had been appointed to leadership positions or been actively involved including:

- *In re Deere & Company Repair Services. Antitrust Litig.*, (N.D. Ill.)
- *In re Crop Inputs Antitrust Litig.* (E.D. Mo.)
- *In re Generic Pharmaceuticals Pricing Antitrust Litig.* (E.D. Pa.)
- *Hogan v. Amazon.com* (W.D. Wash.)
- *Reynolds v. FCA* (E.D. Mich.)
- *In re Surescripts Antitrust Litig.* (N.D. Ill.)
- *Wood Mountain Fish LLC v. Mowi ASA* (S.D. Fla.) (Farmed Atlantic Salmon Indirect Purchaser Antitrust Litigation)
- *In re Interior Molded Doors Indirect Purchaser Antitrust Litig.* (E.D. Va.)
- *In re Equifax, Inc. Customer Data Security Breach Litig.* (N.D. Ga.)
- *FCA US LLC Monostable Electronic Gearshifts Litig.* (E.D. Mich.)
- *Kjessler v. Zaappaaz, Inc. et al.* (S.D. Tex.)
- *Fath v. American Honda Motor Co., Inc.* (D. Minn.)
- *In re Automotive Parts Antitrust Litig.* (E.D. Mich.)
- *In re Volkswagen "Clean Diesel" Marketing Sales Practices, and Products Liability Litig.* (N.D. Cal.)

### Additional Background Information

#### Education:

- Juris Doctor (2015)
  - University of Minnesota Law School
    - Dean's List (2012-2015)
    - Managing Editor of MN Law Review
- Bachelor of Arts (2010)
  - Southwestern University

#### Court Admissions:

- Minnesota Supreme Court
- U.S. District Court for the District of Minnesota

#### Recognition:

- MSBA North Star Lawyer (2018-2021)

**Publications:**

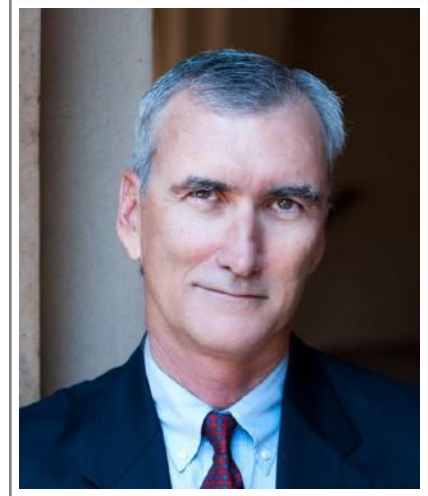
- Committee to Support the Antitrust Laws (COSAL) – Amicus Brief in *Epic v. Apple* (9th Cir. 2022)
- ABA, Handbook on the Rule of Reason (1st. Ed.) (forthcoming)

**Speaking:**

- American Antitrust Association, Young Lawyer's Breakfast (2019)
- Minnesota Federal Bar Association, *Pro Se Project and a Pint* (2019)

## KIRK HULETT

Kirk Hulett joined Gustafson Gluek PLLC in 2019 and is located in the San Diego office. Mr. Hulett has been named a San Diego Top Rated Securities Lawyer by Super Lawyers Magazine each year since 2010.



Mr. Hulett graduated from the University of California San Diego, where he obtained his undergraduate degree (1978). He then graduated cum laude from the University of San Diego School of Law (J.D. 1983), where he was Managing Editor of the University of San Diego Law Reporter. Since 1984, Mr. Hulett has specialized in the representation of plaintiffs in securities, antitrust, employment and consumer class actions as well as representing individuals and businesses in complex litigation.

Prior to co-founding Hulett Harper Stewart LLP in 2000, Mr. Hulett was a partner in the largest national class action firm in the country. He has testified before the California Assembly Business and Professions Committee on the topic of potential regulatory and auditor liability reforms following the Enron financial collapse and participated as a panelist on several occasions. He has been named a San Diego Top Rated Securities Lawyer by Super Lawyers Magazine each year since 2010. He is admitted to all of the District Courts in California, numerous other District Courts across the country by pro hac admission, the Ninth Circuit Court of Appeals and the United States Supreme Court. Mr. Hulett joined Gustafson Gluek as a member in 2019.

Mr. Hulett has been Lead or Co-Lead Counsel in dozens of class actions throughout the country, including *In re American Continental Corp./Lincoln Savings & Loan Securities Litig.* (D. Ariz.); *In re Media Vision Technology Securities Litig.* (N.D. Cal.); *Home Fed*, (S.D. Cal.); and *Gensia Pharmaceuticals*, (S.D. Cal.).

He was Co-Lead trial counsel for a trustee in *Guy F. Atkinson Co. v. PriceWaterhouse LLP, et al.* (N.D. Cal.), a liability action against PriceWaterhouseCoopers, LLP, and represents several bankruptcy estates in seeking recovery against officers, directors and professionals.

He also successfully represented defrauded individual investors in the *Abbott et al. v. Worldcom Co.* (S.D.N.Y). He was Co-Lead Counsel the securities class action, *Enriquez v. Edward Jones & Co. L.P.* (E.D. Mo.). Mr. Hulett also represented defrauded individual investors in *Bachman et al. v. A.G. Edwards* (Circuit Ct. of St. Louis) for breach of fiduciary duty. He represented an elderly individual in a Ponzi scheme case, *Meyerhoff v. Gruttadaria, et al.*, (San Diego Superior Court) against one of Wall Street's most prominent investment banks and was successful in obtaining a full recovery for the victim. He was Co- Lead Trial Counsel in *Pauma Band of Luiseno Mission Tribe v. Harrah's Operating Co., et al.* (San Diego Superior Court) on behalf of a San Diego area based Native American Tribe against Caesars Entertainment and Harrah's. Mr. Hulett has most recently been involved in representing victims of an antitrust conspiracy among the three largest suppliers of canned tuna in the world in *In Re Packaged Seafood Products Antitrust Litig.* (S.D. Cal.).

### **Additional Background Information**

#### **Education:**

- Juris Doctor (1983)
  - University of San Diego Law School
- Bachelor of Arts (1978)
  - University of California, San Diego

#### **Court Admissions:**

- California Supreme Court
- U.S. District Court for the District of California
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Supreme Court

#### **Recognition:**

- Selected by *Super Lawyers* as a California "Super Lawyer" (2010-2018; 2020)

## MARY NIKOLAI

Mary Nikolai joined Gustafson Gluek PLLC as an associate in 2019, after clerking for the Honorable Luis Bartolomei, District Judge, Fourth Judicial District of Minnesota. Since joining the Firm, Ms. Nikolai has represented individuals and classes in asserting various consumer fraud and product defect claims. She has also represented a number of former members of the nationwide FLSA collective alleging off-the-clock work in arbitrations throughout the country.



Ms. Nikolai is admitted to the Minnesota State Bar and the United States District Court for the District of Minnesota. She is also an active member of the Federal Bar Association and the Minnesota Women's Lawyers.

During law school, Ms. Nikolai clerked for two Twin Cities law firms and was a judicial extern for the Honorable Patrick Schiltz. She was also a Certified Student Attorney at the St. Thomas Interprofessional Center for Counseling and Legal Services, where she represented a family seeking asylum in the United States, which was ultimately granted. She also represented individuals at detained master calendar and bond hearings.

Ms. Nikolai has worked on several cases in which Gustafson Gluek is or had been appointed to leadership positions or been actively involved including:

- *In re Gerber Products Company Heavy Metals Baby Food Litig.* (E.D. Va.)
- *In re Nurture Baby Food Litig.* (S.D.N.Y.)
- *In re Plum Baby Food Litig.* (N.D. Cal.)
- *Castorina v. Bank of America, N.A.* (E.D. Va.)

- *Turner et al v. Chipotle Mexican Grill, Inc.* (D. Colo.)
- *Reitman v. Champion Petfoods* (C.D. Cal.)
- *Weaver v. Champion Petfoods* (E.D. Wis.)
- *In re Big Heart Pet Brands Litig.* (N.D. Cal.)
- *Krukas et al. v. AARP, Inc., et al.* (D.D.C.)
- *Bhatia v. 3M Co.* (D. Minn.)
- *Doe v. Hanson et al.* (Minn.)
- *Hudock v. LG Electronics USA, Inc.* (D. Minn.)
- *Brewster v. United States* (D. Minn.)

### **Additional Background Information**

#### **Education:**

- Juris Doctor (2018)
  - University of St. Thomas
    - Clinic Student of the Year (2017 -2018)
- Bachelor of Arts (2012)
  - DePaul University

#### **Court Admissions:**

- Minnesota Supreme Court
- U.S. District Court for the District of Minnesota

#### **Recognition:**

- MSBA North Star Lawyer (2020)
- MSBA North Star Lawyer (2021)



## MICHELLE J. LOOBY

Michelle J. Looby is a member of Gustafson Gluek PLLC. Ms. Looby joined Gustafson Gluek in 2008 and became a member in 2015. She co-chairs the Firm's antitrust group.

In the courtroom, Ms. Looby has served in leadership roles including as co-lead counsel, in numerous class actions. Outside the courtroom, Ms. Looby is actively involved in the legal community serving on the Advisory Board of the American Antitrust Institute, as the Immediate Past Chair and Diversity & Inclusion Liaison for the Minnesota State Bar Association's Antitrust Section, and on the executive committee of the Coalition in Support of the Antitrust Laws. In addition, she is actively involved in the American Bar Association, Federal Bar Association, and Minnesota Women Lawyers, previously having served on its Board of Directors. Ms. Looby also served on Law360's Competition Editorial Advisory Board, a leading daily legal news and intelligence service that reaches over one million recipients each day.



Ms. Looby is admitted to the Minnesota Bar and is admitted to practice in the United States District Court for the District of Minnesota and the United State District Court for the District of North Dakota.

Ms. Looby has worked on several cases in which Gustafson Gluek is or had been appointed to leadership positions or been actively involved including:

- *In re Crop Inputs* (E.D. Mo.)
- *In re Interior Molded Doors Antitrust Litig.* (E.D.V.A.)
- *In re DPP Beef Litig.* (D. Minn.)
- *In re Dealer Management Systems Antitrust Litig.* (N.D. Ill.)

- *Precision Associates, Inc. et al. v. Panalpina World Transport (Holding), Ltd., et al.* (E.D.N.Y.)
- *Powell Prescription Center, et al. v. Surescripts, LLC et al.* (N.D. Ill.)
- *In re CenturyLink Residential Customer Billing Disputes Litig.* (D. Minn.)
- *In re Allura Fiber Cement Siding Products Liability Litig.* (D.S.C.)
- *In re Broiler Chicken Antitrust Litig.* (N.D. Ill.)
- *In re Pork Antitrust Litig.* (D. Minn.)
- *In re Generic Pharmaceuticals Pricing Antitrust Litig.* (E.D. Pa.)
- *In re Automotive Parts Antitrust Litig.* (E.D. Mich.)
- *In re Opana ER Antitrust Litig.* (N.D. Ill.)
- *In re Restasis (Cyclosporine Ophthalmic Emulsion) Antitrust Litig.* (E.D.N.Y.)
- *In re Asacol Antitrust Litig.* (D. Mass.)
- *In re Celebrex (Celecoxib) Antitrust Litig.* (E.D. Va.)

### **Additional Background Information**

#### **Education:**

- Juris Doctor (2007)
  - William Mitchell College of Law
    - William Mitchell Law Review (2005-2007)
    - Assistant Editor (2006-2007)
    - Recipient of the CALI Excellence for the Future Award
- Bachelor of Arts (2004)
  - University of Minnesota
    - *with distinction*

#### **Court Admissions:**

- Minnesota Supreme Court
- U.S. District Court for the District of Minnesota

#### **Recognition:**

- Selected by *Super Lawyers* as a Minnesota "Super Lawyer" (2021-2022)
- Selected by *Super Lawyers* as a Minnesota "Rising Star" (2014 – 2020)
- American Antitrust Institute Award for Outstanding Antitrust Litigation Achievement by a Young Lawyer (2015)
- American Antitrust Institute Award for Outstanding Antitrust Litigation Achievement in Private Practice (2022)
- Selected as an Attorney of the Year by Minnesota Lawyer (2023)

## NOAH COZAD

Mr. Cozad is an associate at Gustafson Gluek PLLC. Noah graduated from the University of Minnesota Law School and clerked for the Honorable Christian Sande of the Fourth Judicial District of Minnesota.



Mr. Cozad joined Gustafson Gluek PLLC as an associate in December 2021 after serving as a law clerk to the Honorable Judge Christian Sande of the Fourth Judicial District of Minnesota. As an associate, Mr. Cozad will be representing those who are alleging antitrust, consumer protection, constitutional, and products liability violations. He is passionate about promoting fair competition and a more just economy.

Mr. Cozad graduated from the University of Minnesota with a B.A. in Political Science and minors in German and Global Studies with an emphasis in Human Rights. While in law school, Mr. Cozad was the Note and Comment Editor for the Minnesota Journal of Law, Science, & Technology. He was also a trained third-party neutral with the Community Mediation Clinic where he helped members of the Twin Cities community overcome conflict and prevent litigation. He also clerked for a Twin Cities plaintiffs' employment law firm and a Minnesota state agency. Before law school, Mr. Cozad did legislative and policy work in the United States Senate.

Mr. Cozad has worked on several cases in which Gustafson Gluek is or had been appointed to leadership positions or been actively involved including:

- *In re Pork Antitrust Litig.* (D. Minn.)
- *Jones v. Varsity Brands, LLC.* (W.D. Tenn.)
- *Wood Mountain Fish LLC v. Mowi ASA* (S.D. Fla.)

- *In re Surescripts Antitrust Litig.* (N.D. Ill.)
- *In re Cattle and Beef Antitrust Litig.* (D. Minn.)

### **Additional Background Information**

#### **Education:**

- Juris Doctor (2021)
  - University of Minnesota Law School
    - Note and Comment Editor: Minnesota Journal of Law, Science, & Technology
- Bachelor of Arts (2016)
  - University of Minnesota

#### **Court Admissions:**

- Minnesota Supreme Court
- U.S. District Court for the District of Minnesota

## SHASHI GOWDA

Mr. Gowda is an associate at Gustafson Gluek PLLC. He graduated from the University of Minnesota Law School and clerked for the Honorable Christian Sande of the Fourth Judicial District of Minnesota. Mr. Gowda joined Gustafson Gluek as an associate in July of 2022



As an associate, Mr. Gowda will be representing those who are alleging antitrust, consumer protection, constitutional, and products liability violations.

Mr. Gowda graduated from Virginia Commonwealth University with a Bachelor of Science in Economics. He then went on to the University of Minnesota Law School, where he was a staffer and managing editor for the Minnesota Law Review. He was also a certified student attorney with the University of Minnesota Consumer Protection Clinic, where he helped guide clients through consumer protection claims.

Mr. Gowda is an active member of the Minnesota State Bar Association, Federal Bar Association and Minnesota Pacific American Bar Association.

Mr. Gowda has worked on several cases in which Gustafson Gluek is or had been appointed to leadership positions or been actively involved including:

- *Hogan v. Amazon, Inc.* (N.D. Ill.)
- *Krukas et al. v. AARP, Inc., et al.* (D.D.C.)
- *Reynolds, et al., v. FCA US, LLC* (E.D. Mi.)
- *In re Nurture Baby Food Litig.* (S.D.N.Y.)
- *In re Gerber Co. Heavy Metals Baby Food Litig.* (E.D. Va.)
- *In re Plum Baby Food Litig.* (N.D. Cal.)
- *Gorczynski v. Electrolux Home Products, Inc.* (D.N.J.)

## **Additional Background Information**

### **Education:**

- Juris Doctor (2020)
  - University of Minnesota Law School
    - Managing Editor: Minnesota Law Review
- Bachelor of Science (2017)
  - Virginia Commonwealth University

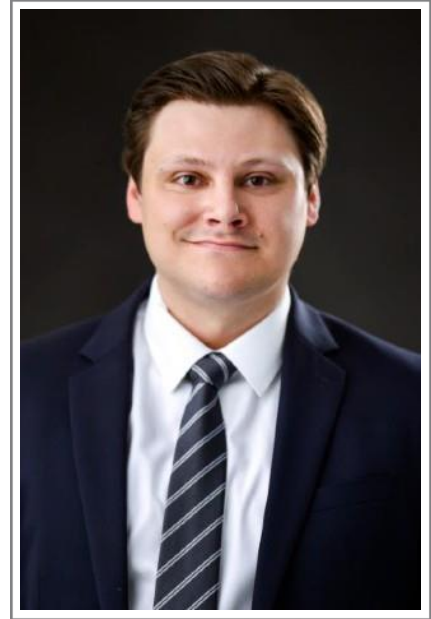
### **Court Admissions:**

- Minnesota Supreme Court
- U.S. District Court for the District of Minnesota

## TONY STAUBER

Mr. Stauber joined Gustafson Gluek as an associate in 2021 after serving as a law clerk to the Honorable Caroline H. Lennon, District Judge, First Judicial District of Minnesota.

As an associate at the Firm, Mr. Stauber represents individuals and businesses who are harmed by illegal collusion and price-fixing schemes between competitors, and violations of state and federal consumer protection statutes. Additionally, Mr. Stauber practices in the area of civil rights, where he has represented clients in high-profile cases involving police brutality and other constitutional violations. He is passionate about pursuing claims on behalf of clients who have been harmed by institutions of power – whether those are gigantic corporations or law enforcement agencies.



Mr. Stauber is an active member of the Minnesota and Federal bar associations and is using his legal education to improve access to justice for all litigants. Mr. Stauber believes that all individuals and businesses deserve their day in court. Mr. Stauber graduated from the University of Minnesota with a B.A. in English Literature. He graduated magna cum laude from Mitchell Hamline School of Law. While in law school, Mr. Stauber was Vice President of the Mitchell Hamline Hovenkamp Antitrust Society, Membership Coordinator of the Mitchell Hamline Chapter of the American Civil Liberties Union, and a student researcher and member of the Mitchell Hamline Sex Offender Litigation and Research Center. Additionally, Tony was the Production Editor of the Mitchell Hamline Journal of Public Policy and Practice, where he was a published author of an article on the topic of qualified immunity.

Mr. Stauber has been an active member of the National Speech and Debate Association and the Minnesota State High School League as a speech and debate coach for ten years.

Mr. Stauber has worked on several cases in which Gustafson Gluek is or had been appointed to leadership positions or been actively involved including:

- *In re Broiler Chicken Antitrust Litig.* (N.D. Ill.)
- *In re Beef DPP Antitrust Litig.* (N.D. Ill.)
- *In re Pork Antitrust Litig.* (D. Minn.)
- *In re Local TV Advertising Antitrust Litig.* (N.D. Ill.)
- *Karsjens v. Jesson* (D. Minn.)
- *Samaha v. City of Minneapolis* (D. Minn.)
- *Wolk v. City of Brooklyn Center* (D. Minn.)
- *Baldwin v. Miracle Ear, Inc.* (D. Minn.)
- *Brnich v. Siemens* (N.D. Ga.)

### **Additional Background Information**

#### **Education:**

- Juris Doctor
  - Mitchell Hamline School of Law
    - *magna cum laude*
    - Production Editor: Mitchell Hamline Journal of Public Policy and Practice
- Bachelor of Arts
  - University of Minnesota

#### **Court Admissions:**

- Minnesota Supreme Court
- U.S. District Court for the District of Minnesota